

MEMORANDUM

DATE December 5, 2012

TO David B. Gonzalves, Director of Development Services
Kim Espinosa, Planning Manager

FROM Ben Noble, Associate Principal

RE Community Workshop

Workshop Overview

This memo presents the summary of results from the Merced Comprehensive Zoning Ordinance Update Workshop 1, which was held November 28, 2012. The purpose of the workshop was to introduce the update process, collect public input on zoning issues, and highlight opportunities for future workshops. After basic information about the process was provided, the Zoning Ordinance Issues and Options memo was reviewed with the community. The Planning Center | DC&E presented the first half of the memo, which covers non-controversial changes to the Merced Zoning Ordinance in brief, including the addition of graphics and tables, revision for legal compliance, and implementation of the general plan. The second portion of the memo discusses issues open to greater subjectivity and a range of solutions, primarily dealing with design options and revision of the permit administration process. While design options and the permit process were both discussed in the opening presentation, design options were the focus of the public workshop.

General comments were also welcomed during the presentation. Achieving healthier environments through zoning was a goal important to a number of participants. Actions related to this goal were suggested, specifically:

- ◆ increasing bicycle parking in Merced
- ◆ limiting fast food restaurants around schools
- ◆ requiring no smoking signage on outdoor dining patios

Visual Preferences Survey

The majority of the two-hour workshop was spent collecting feedback from participants on images presenting a range of development possibilities for downtown Merced and the Urban Villages. Fifteen to twenty participants rated each image. Each participant was given a polling device and asked to rank the appropriateness of images on a scale from 1 to 5, corresponding to the following values:

- 1: inappropriate
- 2: Somewhat inappropriate
- 3: neutral
- 4: Somewhat appropriate
- 5: very appropriate

The photos represented a range of choices for the specified aspects of development. All images related to downtown and downtown housing were labeled and accompanied by a short verbal description pointing out the prominent features of the image. Downtown images were grouped under ten design aspects:

- ◆ Land Use
- ◆ Building Height
- ◆ Building Entrances
- ◆ Front Setbacks Use
- ◆ Ground Floor Frontage
- ◆ Upper -story Detailing
- ◆ Architectural Style
- ◆ Parking Placement
- ◆ Parking Design
- ◆ Quasi-Public Places

The images presented in the workshop and the polling results for each image are attached to this memorandum. Below is a summary of these results. Additional comments from participants on the images are also summarized below.

DOWNTOWN

Land Use

Commercial uses were rated as most appropriate for downtown. Restaurant and retail as stand-alone uses were rated as 5 by roughly 90 percent of respondents. Housing above retail or offices above retail were next most strongly supported, rated 5 by 78 percent and 67 percent of respondents, respectively. Stand-alone offices and civic uses were also supported, with more than 50 percent of respondents rating these uses 5, and few respondents rating them 1 or 2. Most controversial of all possible land uses for downtown were stand-alone apartment buildings, with 50 percent of participants rating them 1 or 2, and 45 percent rating them 4 or 5.

Additional Comments:

Attendees commented that stand-alone apartment buildings seem less safe than mixed-use buildings due to the foot traffic generated at night, eyes on the streets in the day, and that a common entry would make a mixed-use building more secure. Another comment was that stand-alone apartments were more likely to deteriorate, due to lack of maintenance, than mixed-use buildings. David Early suggested that if a retail center could not be found, a community center could be allowed on the first floor.

An attendee stated that office space and government offices seemed to be detracting from the business environment. Other attendees stated that vacant buildings and churches were also difficult for the business environment.

Building Height

Heights below six stories were considered most appropriate for downtown. More than 70 percent of respondents considered buildings of two, three, and five stories “very appropriate” or “neutral”. At six stories, the results shifted, and opinions were more mixed, with roughly one-third of respondents rating it 1, and another one-third rating it 5. The remainder voted these heights were “neutral” to somewhat appropriate, rating it 3 or 4. Finally, buildings eight stories and eight-plus stories were most frequently rated as “inappropriate,” with one-third to one-half of respondents rating these heights 1.

Additional Comments:

An attendee commented that the City’s fire ladder reaches a maximum height of 3 stories, an obstruction to greater building heights. David Early suggested that UC Merced and the City of Merced could have a Mutual Aid Agreement or float a bond to gain access to a higher fire ladder.

Building Entrances

Entrances facing the street were most frequently rated as “very appropriate”, with 94 percent of participants rating it 5. Entrances facing a courtyard were also rated “very appropriate” by the majority, with 65 percent of respondents rating it 5. Entrances facing parking were deemed less appropriate for downtown, with 38 percent of respondents rating it 5.

Front Setbacks Use

Three types of front setback uses were most frequently rated “very appropriate”: landscaping combined with seating, outdoor dining at a zero setback, and retail frontage with zero setback were rated 4 or 5 by 85 percent of respondents, and zero participants rated these designs 1. Courtyards and tree-only landscaping were rated “neutral” or positive by the majority of participants, with more than three-quarters of

respondents rating these uses 3 or better. A minority of participants expressed that landscaping (consisting of just a tree) or very large plazas were “inappropriate” usage of a front setback for Downtown Merced. At least 50 percent of participants rated parking and large setbacks with extensive landscaping 1 or 2, indicating these were the least appropriate uses for downtown front setbacks.

Additional Comments:

An attendee commented that a large front plaza would be difficult to financial pencil out for a developer. Another attendee commented that landscaping is appreciated as relief to the eye from so much pavement. Native bunch grasses were seen as “messy” and unkempt.

Ground Floor Frontage

The majority of participants rated restaurants opening onto the sidewalk and glass storefronts “very appropriate”, with 89 percent rating both of these designs 5. Arcades, galleries, and stoops were also frequently rated as appropriate, with roughly 80 percent of respondents rating these 4 or 5. Office lobbies and outdoor displays were judged as less appropriate or “neutral”, with 60 percent of participants rating these 1, 2, or 3. Blank walls were most frequently rated as “inappropriate,” with 65 percent of participants rating it 1.

Additional Comments:

Attendees commented that outdoor displays of fruit or flowers were positive additions to the outside of businesses, but limits need to be placed to prevent obstruction of a clear path along the sidewalk. David suggested limiting displays to a 2 foot by 5 foot display area, or a similarly constructed regulation.

An attendee commented that businesses open daily with display windows are the ideal way to create a stroll-friendly environment, which generates needed walk-in business for downtown merchants. The commenter suggested business owners may be open to additional regulations, if convinced they are beneficial. David suggests

requiring window display space at each business, and banning curtains on key streets and street corners.

Upper -story Detailing

Balconies and architectural details were both rated as “neutral” to appropriate by a majority of respondents, with 94 percent rating balconies 3, 4 or 5, and 82 percent rating architectural details 3, 4, or 5.

Architectural Style

Neo-traditional architecture (new structure with turn-of-the-century elements) was most frequently seen as appropriate, with 89 percent of respondents rating it 4 or 5. Traditional architecture (existing older structures) was rated appropriate by a majority as well, with 77 percent rating it 4 or 5.

Contemporary styles received mixed responses. The most popular of the contemporary styles included a turret, broken massing, and three different “neutral” shades; this style was rated 4 or 5 by 73 percent of participants.

Two other contemporary designs were rated “inappropriate” to “neutral” by most respondents, with two-thirds rating these 1, 2, or 3. These designs both had a white, smooth façade, but were otherwise different. One was a four -story structure with a smooth, rectangular façade with balconies, windows, and a gallery. The second was a six -story structure with orange and blue accents and protruding upper stories.

Additional Comments:

An attendee commented that one of the contemporary buildings with a smooth, rectangular, unadorned white façade, rated as “inappropriate” by many participants, was too boring even if it were painted with additional colors.

Parking Placement

Of the five types of parking placement shown, four types were rated as “very appropriate”, with at least 70 percent of respondents rating them a 5. These were labeled parking behind building, parking structure, lined parking structure, and side of building. Only the image labeled parking in front of building was controversial, with 39 percent of respondents rating it 1.

Additional Comments:

Attendees stated that gated parking seemed too institutional, sending a message of the area being unsafe.

Parking Design

Landscaped parking was most frequently rated as appropriate, with 77 percent of respondents rating it 4 or 5. A majority of respondents also rated parking shielded from view as appropriate, with 61 percent rating it 4 or 5. In contrast, a majority of respondents rated asphalt-only parking as “inappropriate,” 76 percent rating it 1.

Quasi-Public Spaces

Outdoor dining, outdoor seating, corner plaza, small courtyard were each rated “very appropriate” by the majority, rated at a 5 by a minimum of 75 percent of respondents and as much as 100 percent of respondents. However, sideyard space received a response as controversial, with 51 percent of respondents rating it “neutral” or negative giving 1, 2, or 3.

Additional Comments:

Sideyards/alleys were perceived as unsafe or crime-ridden because of association with the obstruction of views, tall height, narrowness, and lack of light. David Early suggested using design techniques to reduce these issues.

DOWNTOWN NEIGHBORHOODS

The housing type rated as most appropriate was a series of uniform townhouses with pitched roofs, chimneys, and antique-style streetlamps, which 87 percent of respondents rated 5. The housing type second most frequently rated as appropriate was a series of townhouses with a variety of colors, rooflines, and facades finishes, which 67 percent of respondents rated 5. Following these, courtyard bungalows (which are detached homes sharing a central green space) were rated 5 by 50 percent of respondents.

Stacked flats (three--story apartments with pitched roofs and many large windows), lofts, and small lot detached homes were each rated 5 as by roughly 40 percent of participants, and concurrently, rated 1 or 2 by roughly 30 percent of participants, suggesting these housing types generate some controversy. A larger urban apartment building and live-work building seemed controversial as well, with roughly one-third of participants rating these 1, and another one-third of participants rating it a 5. The housing development rated appropriate by the smallest number of participants was a gray three--story apartment complex in a smaller, suburban scale with staircases and balconies, which 56 percent of respondents rated 1.

Additional Comments:

Attendees expressed that building types perceived as rentals were undesirable. Buildings types which suggested ownership were desirable, associated with better long-term maintenance. The gray apartment complex was perceived as jail-like due to its color, metal railings, and bannisters on balconies. The larger urban apartment building was perceived as "too massive." Small lot homes were perceived as not appropriate for households with small children, but fine for students. To prevent clutter on balconies, David Early suggested code enforcement action.

URBAN VILLAGES

Input was solicited from participants on a range of possibilities for the new growth areas in Merced. This input will serve as a spring board for prescriptive design standards for these areas, related to development aspects such as building height, setbacks, street width, and the mixture of land uses within a project.

Nine images related to Urban Village were shown in total. Six images were of a variety of compact, walkable, two and three-story developments with neo-traditional architecture, including housing above retail, courtyard bungalows, and a small-scale town square with retail space. These six were rated 5, or “very appropriate” by roughly 50 percent of participants, and 7 to 25 percent participants rated these images as 1, or “inappropriate.” The largest proportion of 1 ratings was elicited by housing above retail that replicated a traditional downtown.

The seventh image related to Urban Village depicted a beige, two--story building with multiple units and pitched roofs, large windows, and a small lawn area, and only 38 percent of participants rated it 5. An eight image of a large lot estate home with front landscaping was seen as appropriate by a larger proportion of participants, with 63 percent of participants rating it 5. The ninth image related to Urban Village was of a street with a very diverse collection of neo-traditional single family housing with a red curb on one side of the street. This image was rated “neutral” by the majority, with 47 percent of participants rating it 3.

Attachments:

A. Visual Preference Survey Results

Attachment

Visual Preference Survey Results




Comprehensive Zoning Ordinance Update

CITY OF MERCED

Project Goals

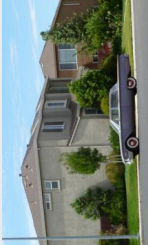
Create an updated Zoning Ordinance that:

- Is user-friendly and easy to understand
- Contains graphics, diagrams, and tables
- Allows for a streamlined development review process
- Provides clear direction to project applicants
- Effectively implements the General Plan



Project Overview

- Review Existing Conditions (September 2012)
- Identify Preferred Approach (November 2012)
- Draft Updated Zoning Ordinance (January 2013)
- Finalize Update Zoning Ordinance (Summer 2013)

Products

- Issues and Options Memo (November 2012)
- Ordinance Outline (January 2013)
- First Public Review Draft Zoning Ordinance (April 2013)
- Second Public Review Draft Zoning Ordinance (June 2013)
- Draft Final Zoning Ordinance (August 2013)
- Adopted Zoning Ordinance (October 2013)



Public Meetings and Workshops

- Stakeholder Interviews (September 2012)
- Outreach to Underrepresented Groups (Late 2012)
- Workshop 1 (Tonight)
- Stakeholder Interviews (March 2013)
- Workshop 2 (May 2013)
- Public Hearings (Fall 2013)

Issues and Options Memorandum

- Identifies anticipated non-controversial changes to the existing Zoning Ordinance :
 - Revision for Legal Compliance
 - Addition of Graphics and Tables
 - Elimination of Supplementary Chapters
 - Revision of Overall Organization
 - Modernization of Language
 - Addition of Modern Land Uses
 - Internal Consistency
 - Elimination of Redundancies
 - Implementation of General Plan

Issues and Options Memorandum

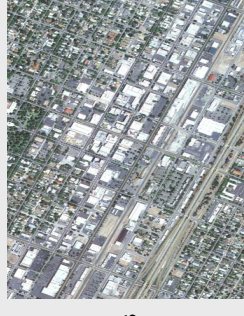
- Presents options to address five key issues :
 1. Downtown Merced
 2. Urban Village Zoning District
 3. South Merced
 4. Regulations For Specific Land Uses
 5. Permit Processing

Downtown Merced

Vibrant, active arts, entertainment, and dining scene.
Pedestrian-oriented with good urban design.

Options:

- New design standards
- Fast approvals
- Discourage less active uses
- Incentivize community benefits

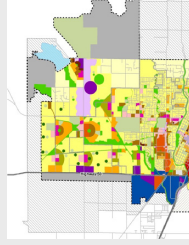


Urban Village Zoning District

A blend of living and shopping close-by.

Options:

- Mixed Use Zones
- Revise Planned Development process
- Create a new Flexible Permit
- New Design Standards



South Merced

A diverse, safe neighborhood with plenty of amenities

Options:

- Incentives for grocery store and plaza
- New Design Standards
- Incentives for annexation
- New performance standards
- Code enforcement and amortization
- Playgrounds at churches and community gardens

Specific Land Use Standards

Appropriate standards for projects

- | | |
|-------------------------------------|---|
| • Animal hospitals | • Mobile vendors |
| • Bail bonds | • Nightclubs |
| • Bed and breakfast | • Quasi-public use |
| • Boarding houses | • Recycling centers |
| • Bus shelters/stops | • Religious |
| • Check cashing | • Residential care facilities (hospices) |
| • Community gardens | • Retail - outdoor display of merchandise |
| • Flea markets | • Sober living |
| • Fraternities/sororities | • Solar panels |
| • Gas stations | • Studio apartments |
| • Group homes (6+ residents) | • Tattoo studios |
| • Home occupations | • Thrift stores |
| • Live Performance venues | |
| • Medical clinics, doctor's offices | |

Permit Processing

Cutting red tape while keeping the community involved

- By-Right Projects
- Site Plan Review
- Staff-Level Discretionary Permit



Options for Downtown Merced

1. Establish new building and site **design standards** which ensure high quality design for new development
2. Create streamlined, **accelerated approvals** for projects consistent with new design standards
3. Revise **land use regulations** for downtown to discourage or prohibit problematic land uses
4. Create **incentives** for developers to include community benefits as part of new projects

Need for Community Input

Community input on desired characteristics of Downtown development

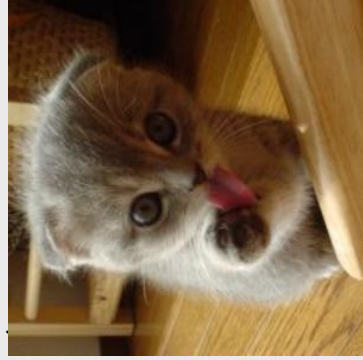


Updated Zoning Ordinance that effectively produces desired types of development

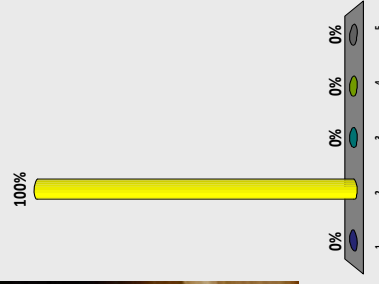
Visual Preference Survey

- Presents images illustrating development characteristics
- Using hand held clicker, indicate which images you think are most appropriate for Downtown Merced
- Vote on a sliding scale:
 - 1: Inappropriate
 - 2: Somewhat inappropriate
 - 3: Neutral
 - 4: Somewhat appropriate
 - 5: Very appropriate

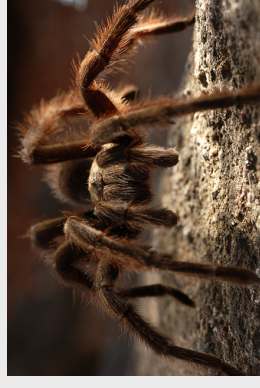
Kid's Pet



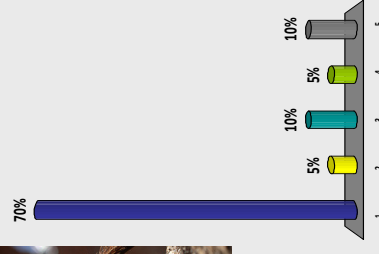
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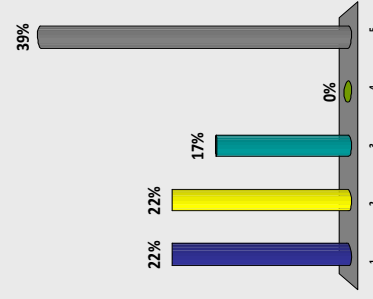
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Characteristics of Downtown Development

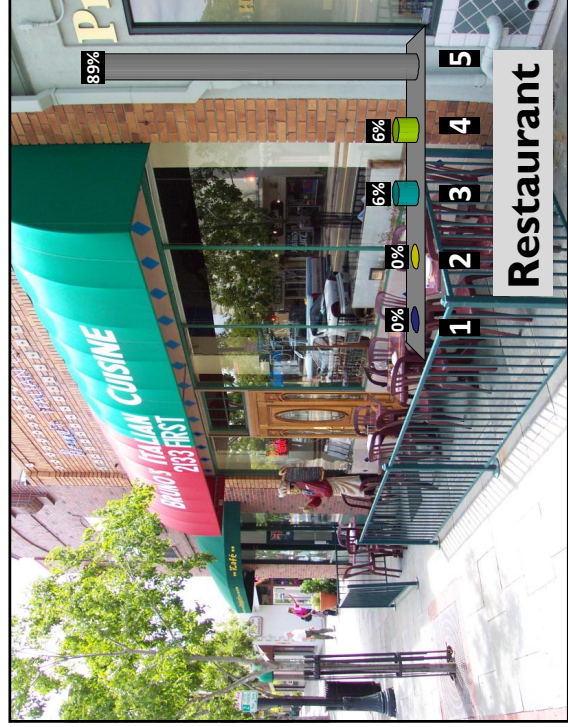
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- Quasi-Public Places

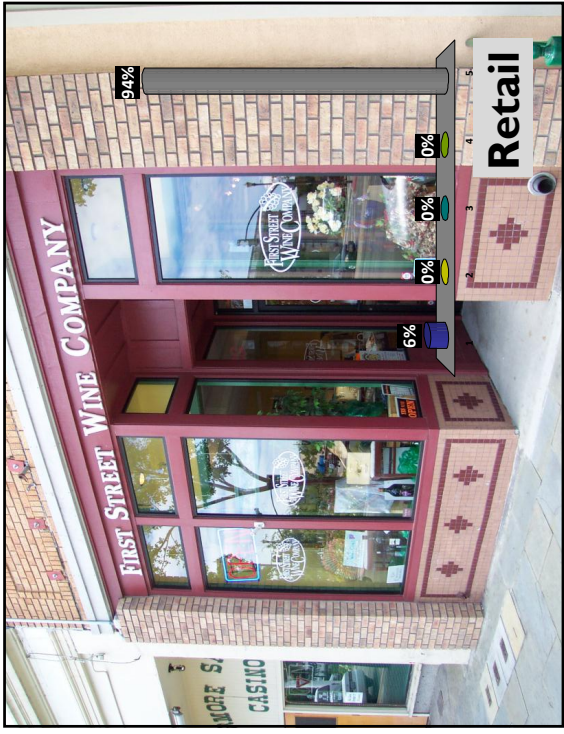
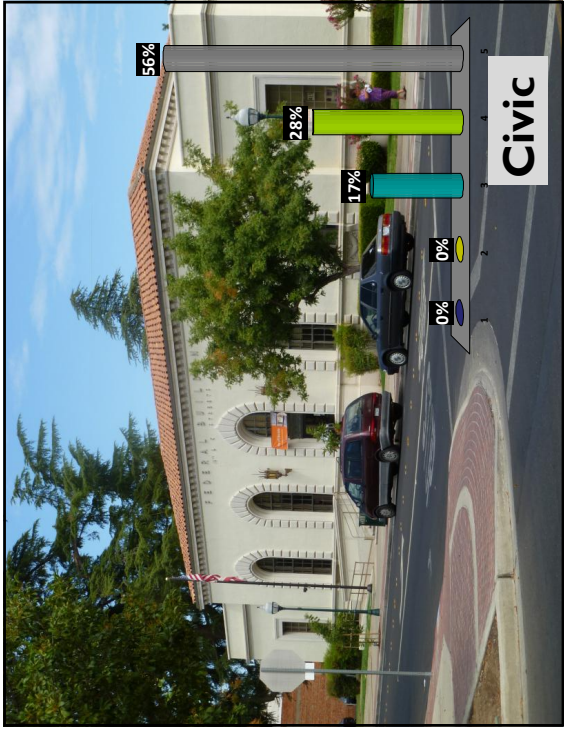
Land Use



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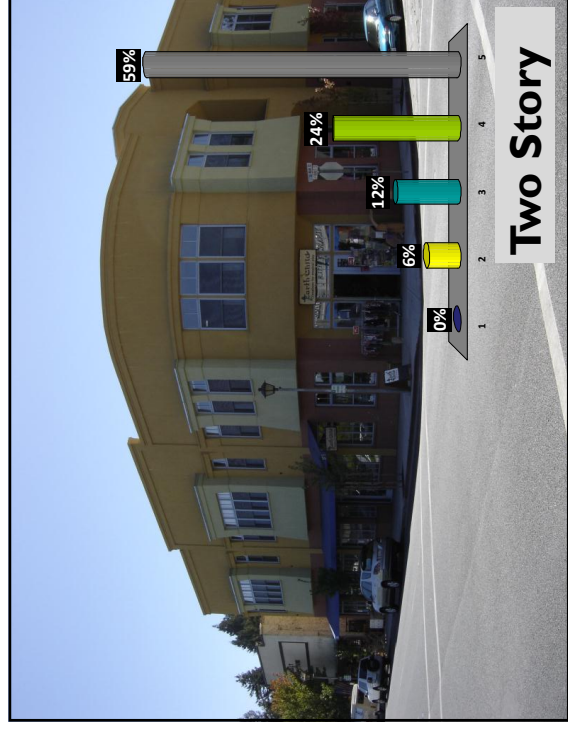


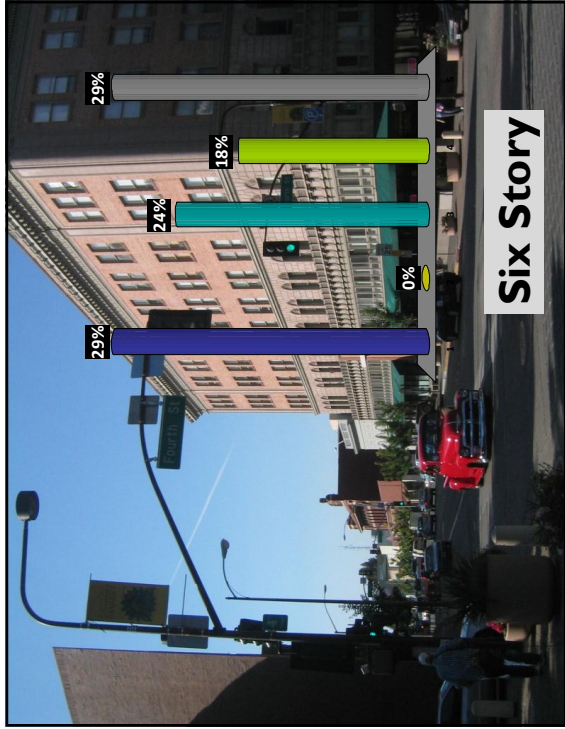
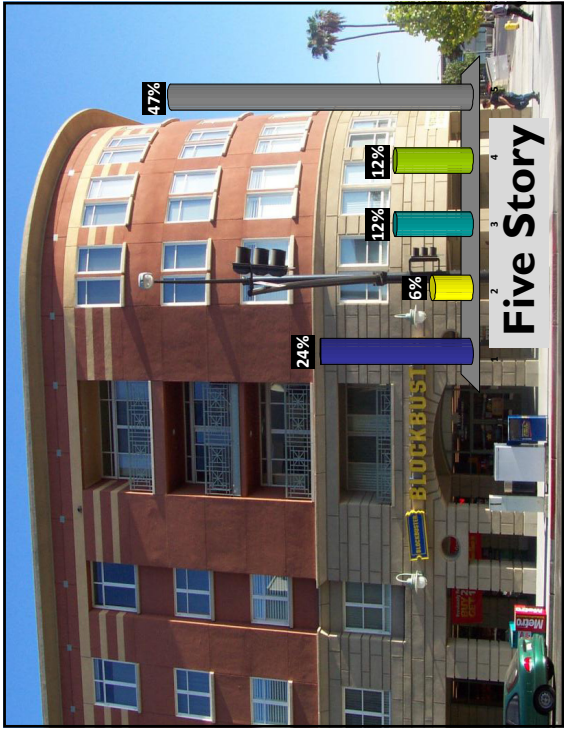


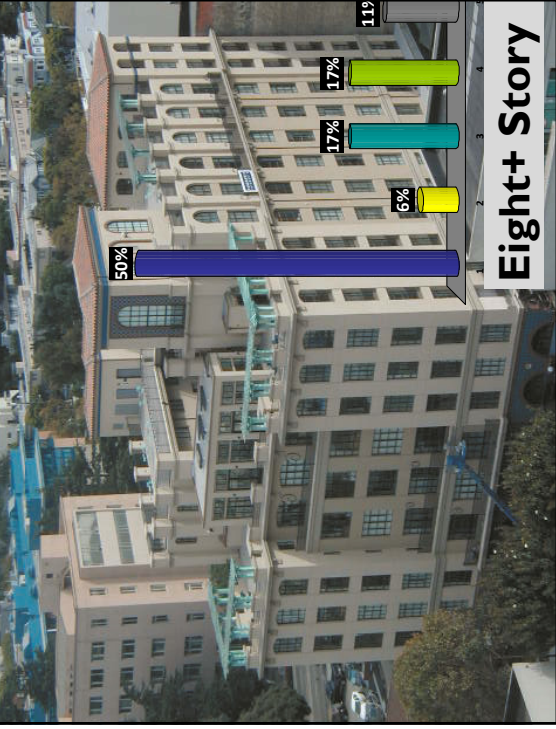


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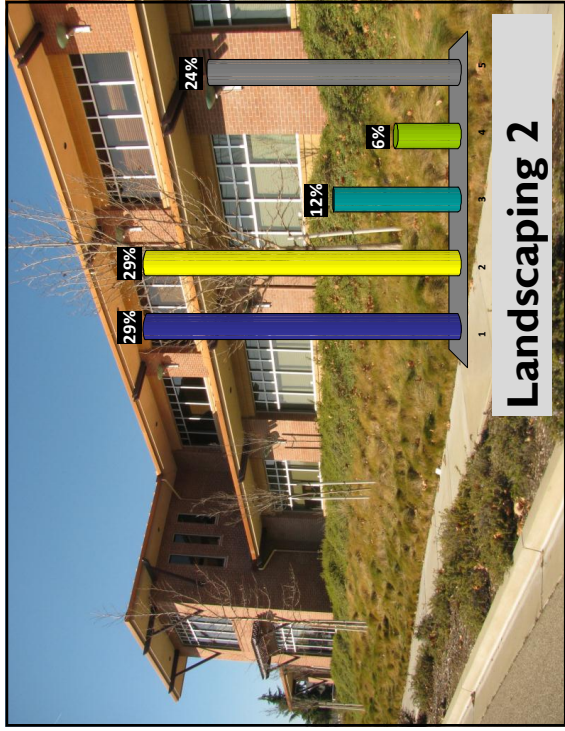
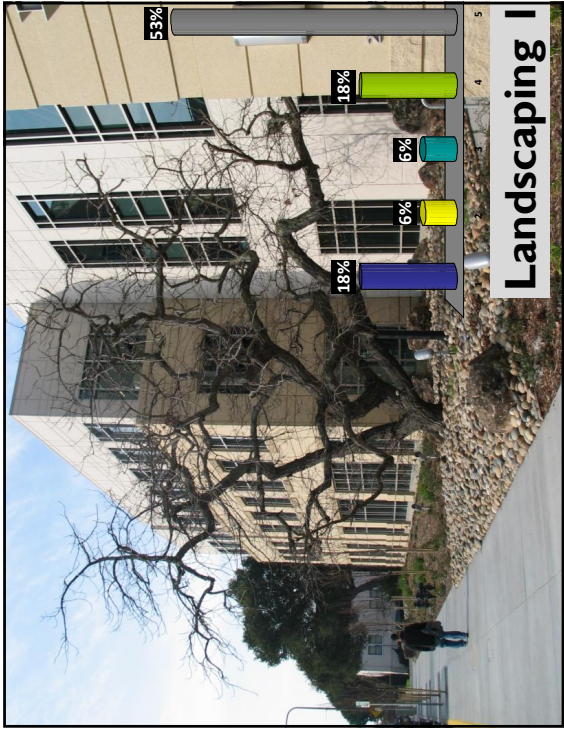
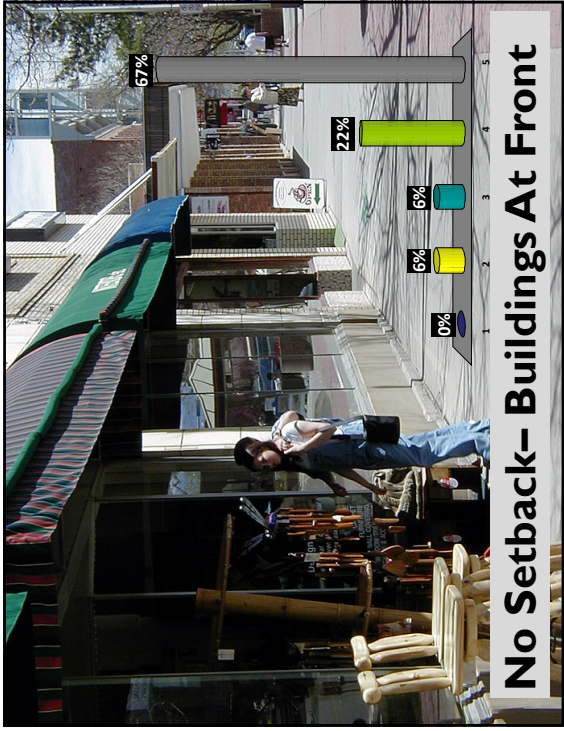


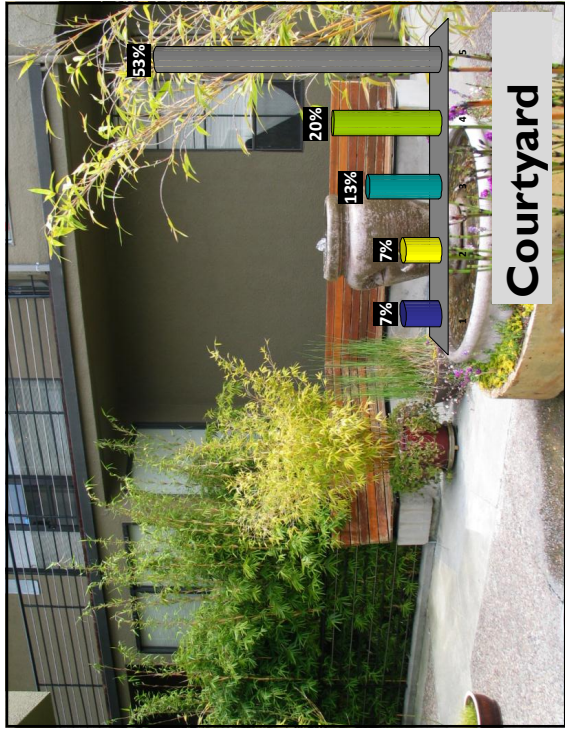
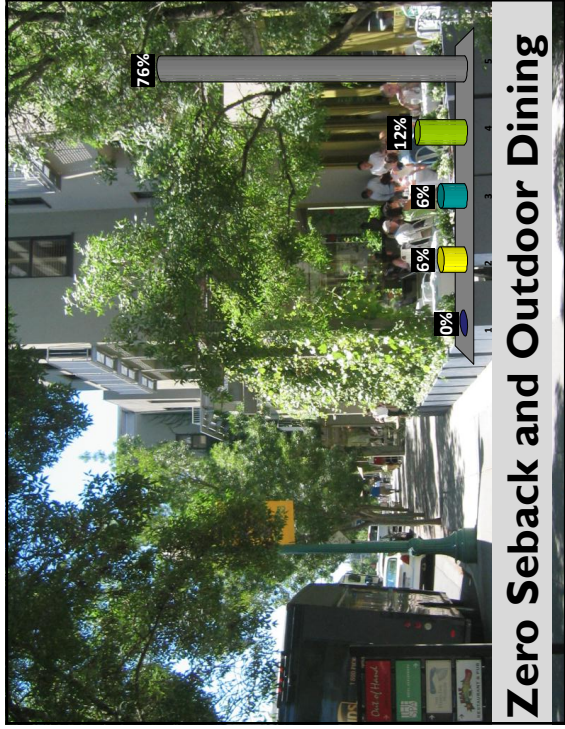
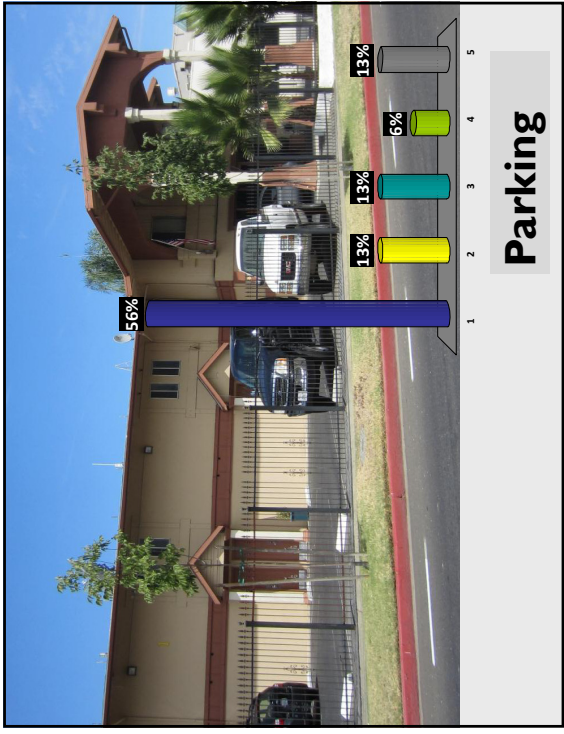
Front Setbacks

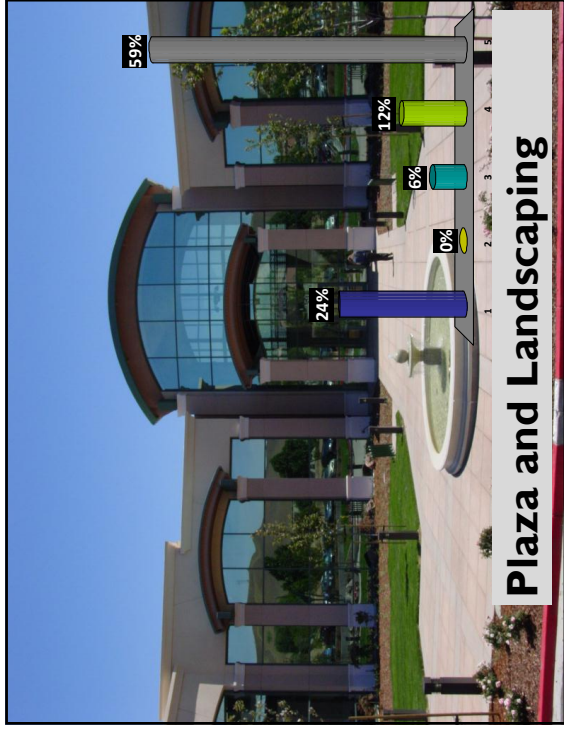


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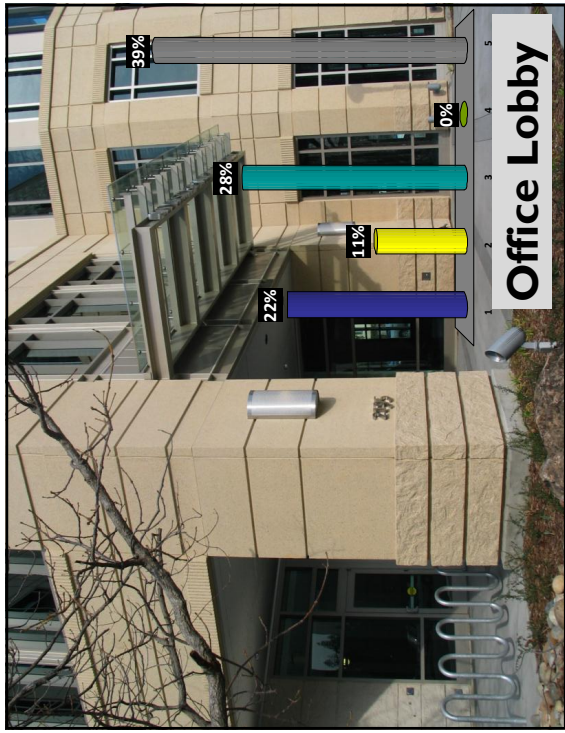
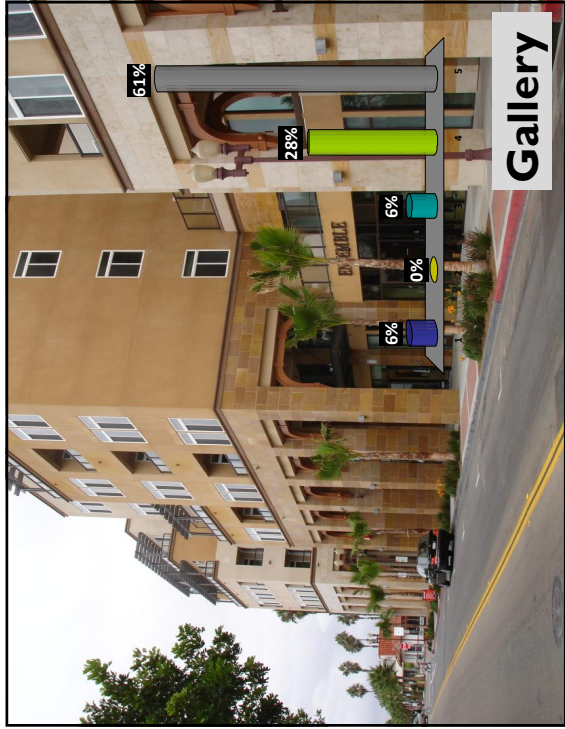


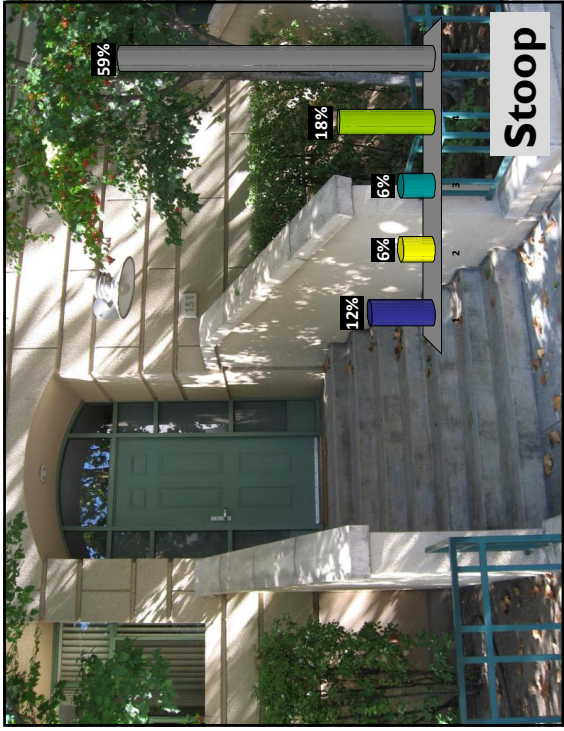


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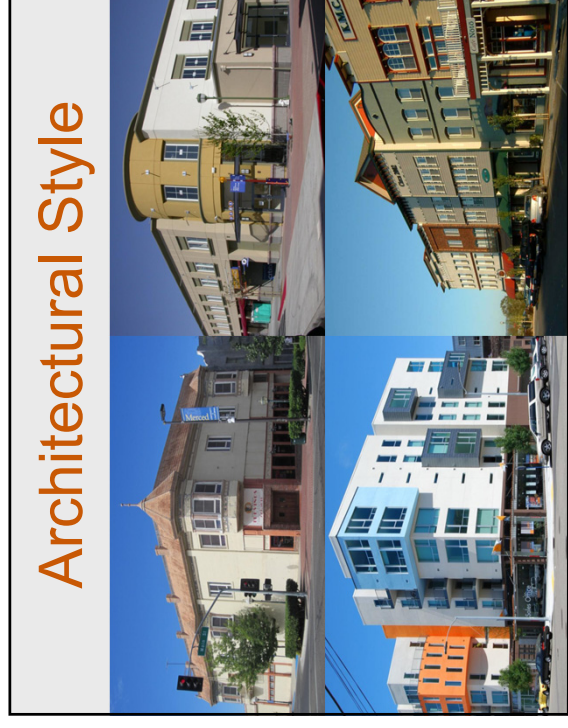
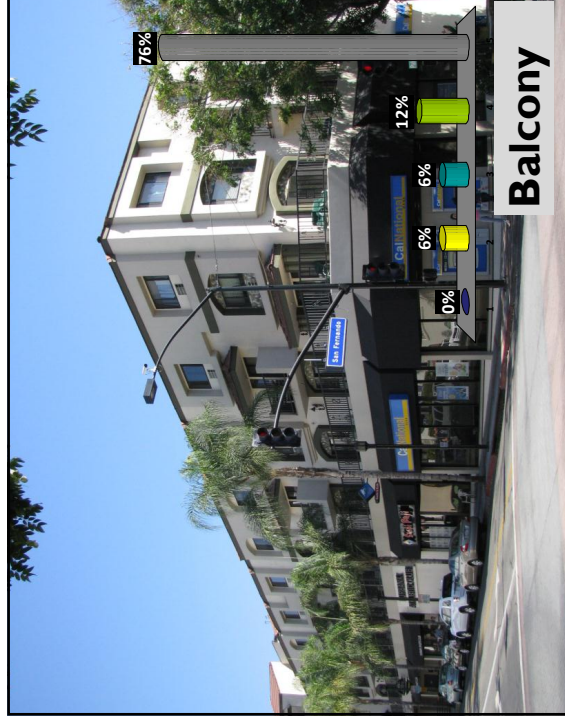






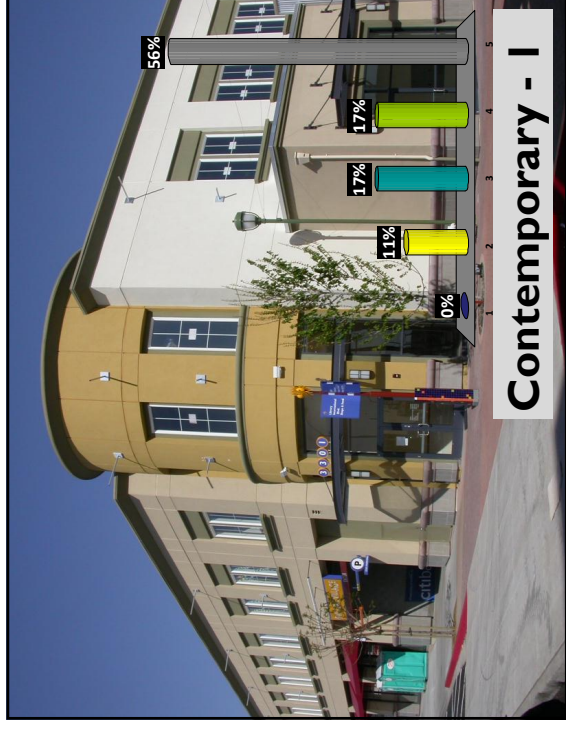
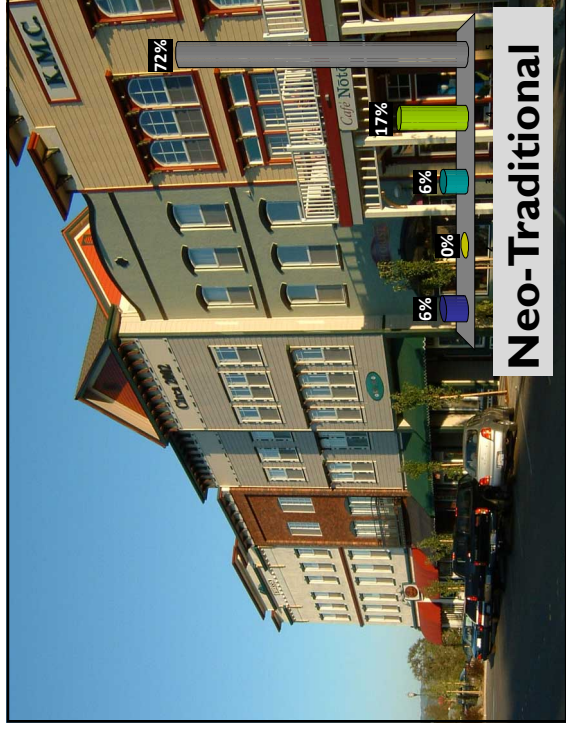
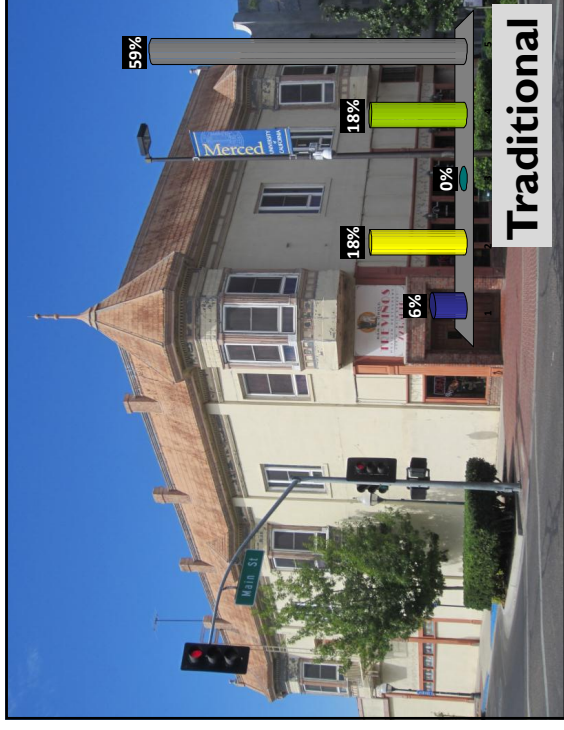
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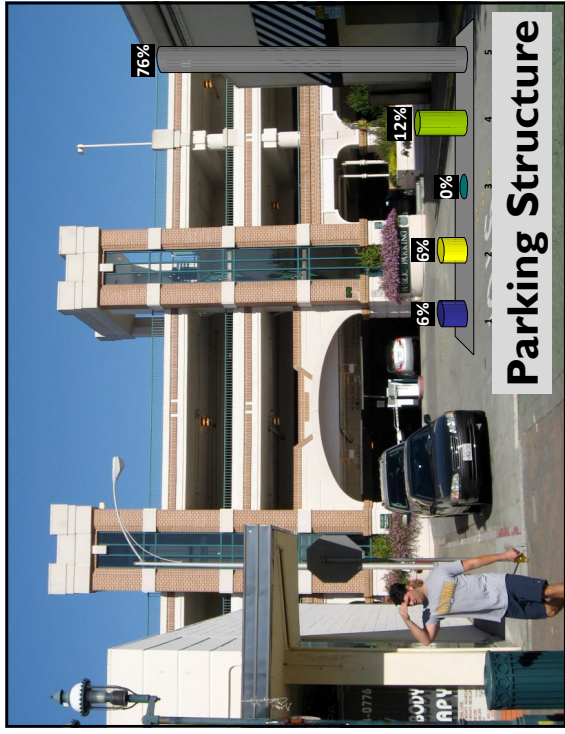
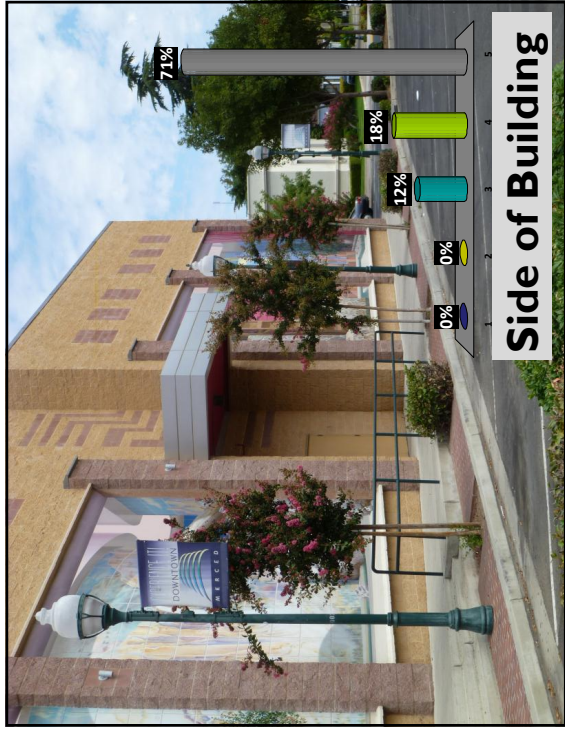
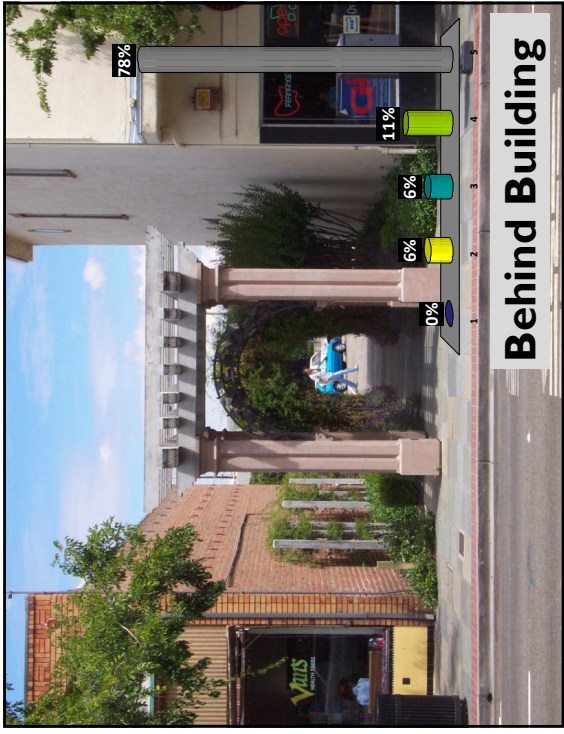


Parking Placement



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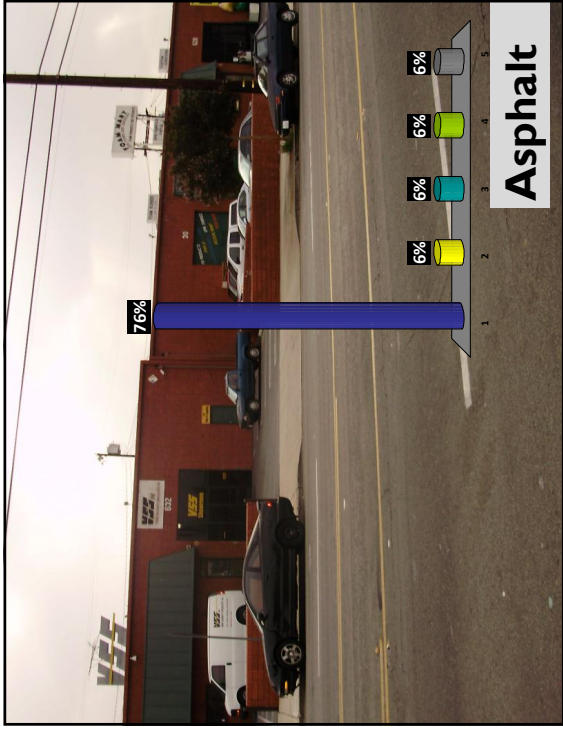
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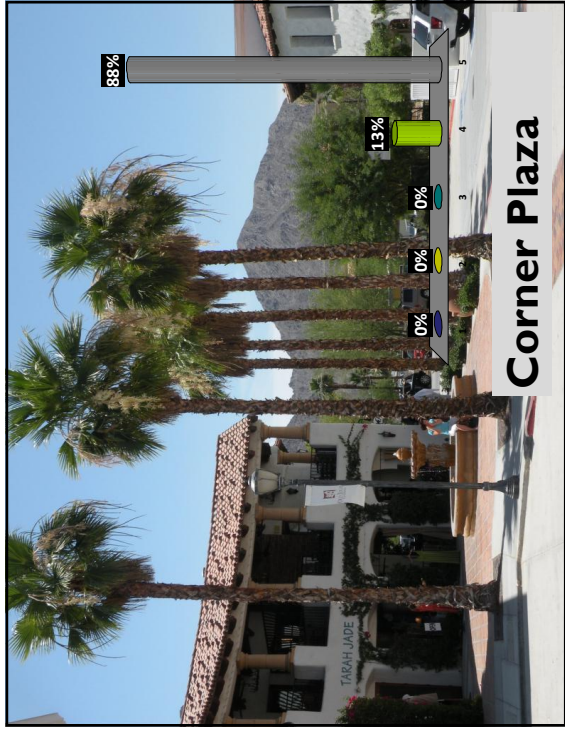
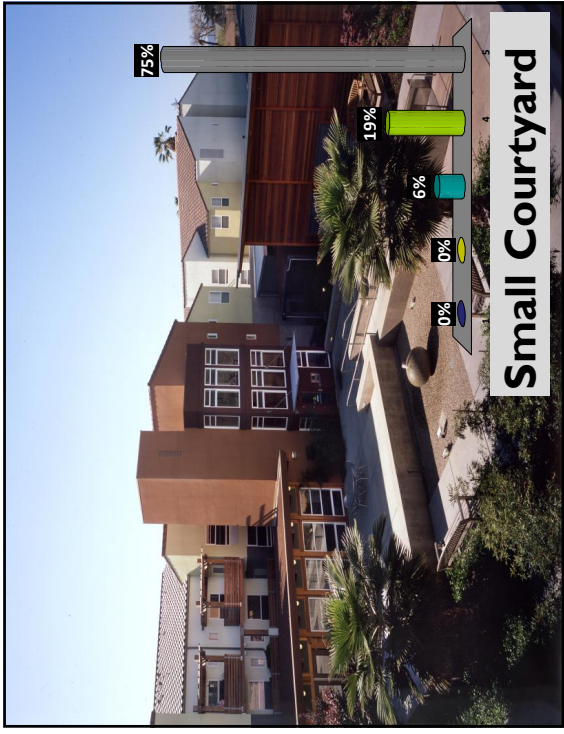


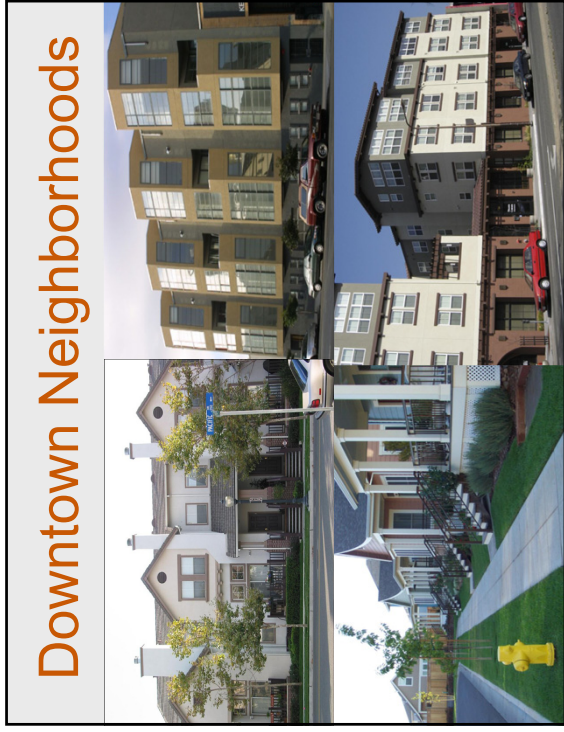
Quasi-Public Spaces



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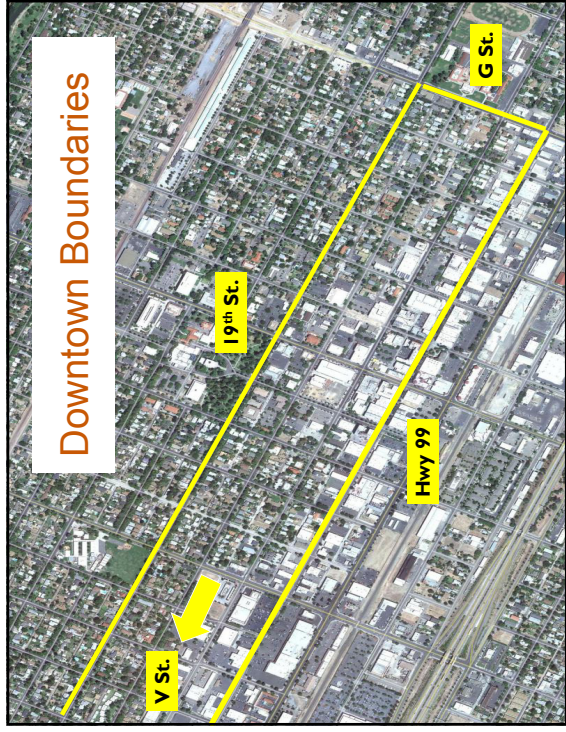
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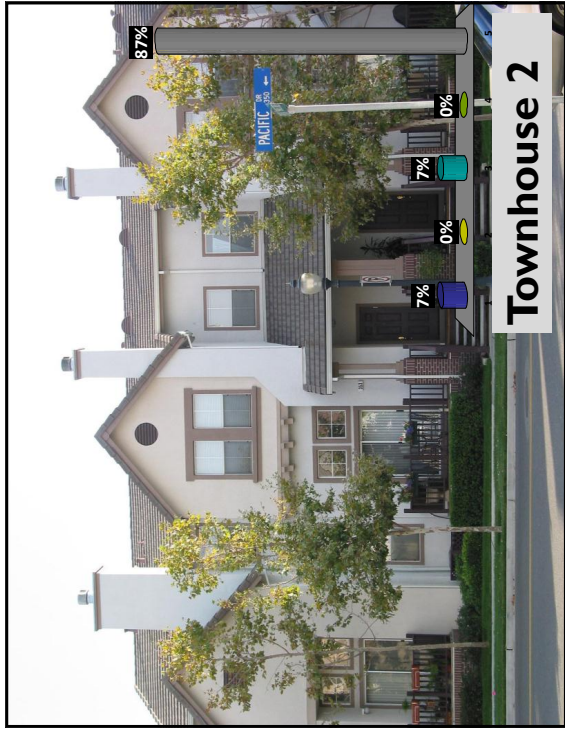
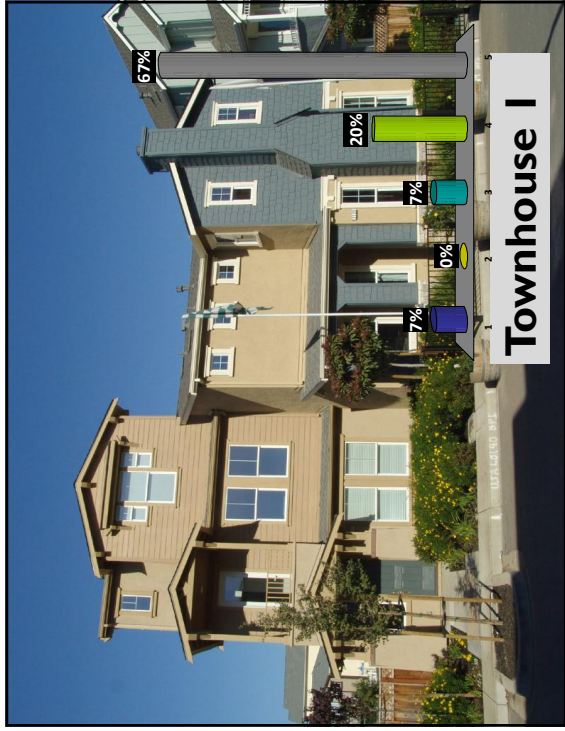
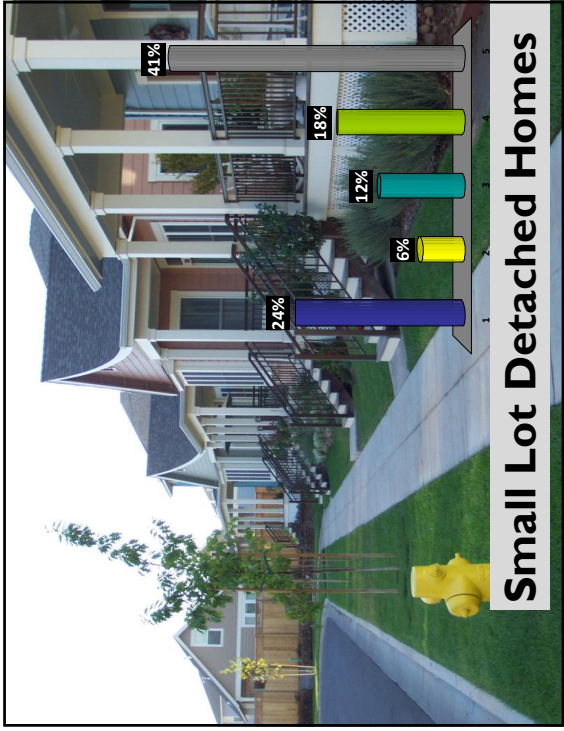


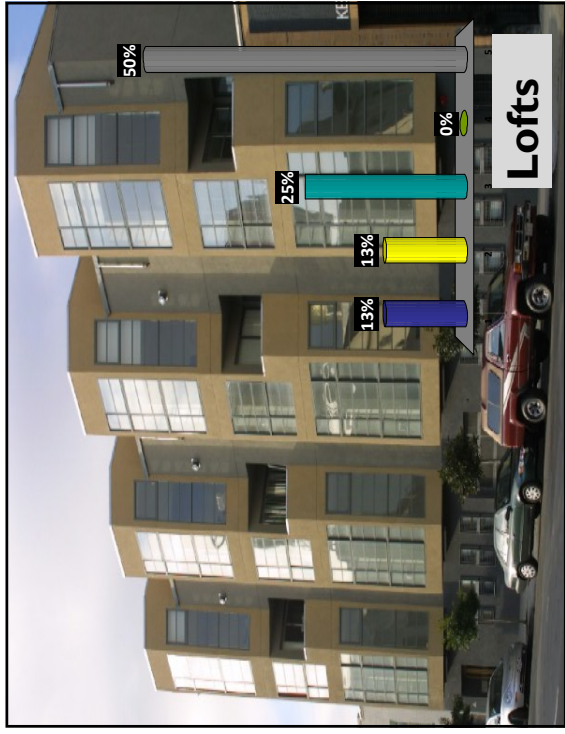
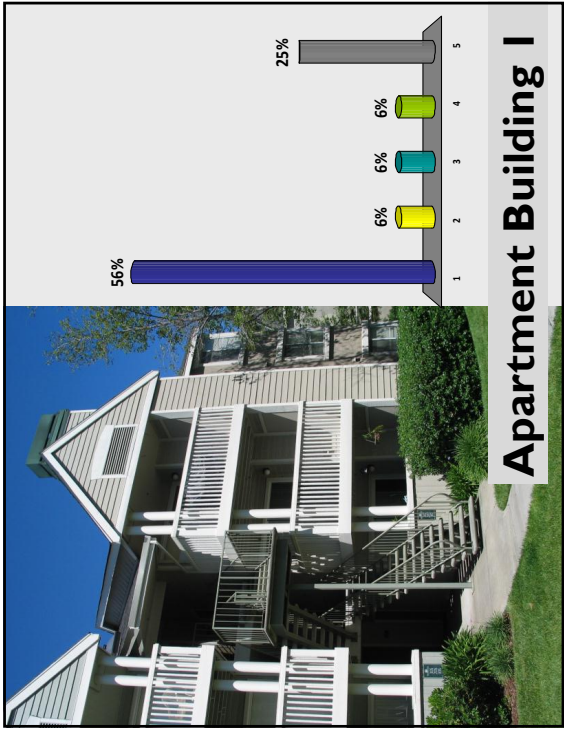


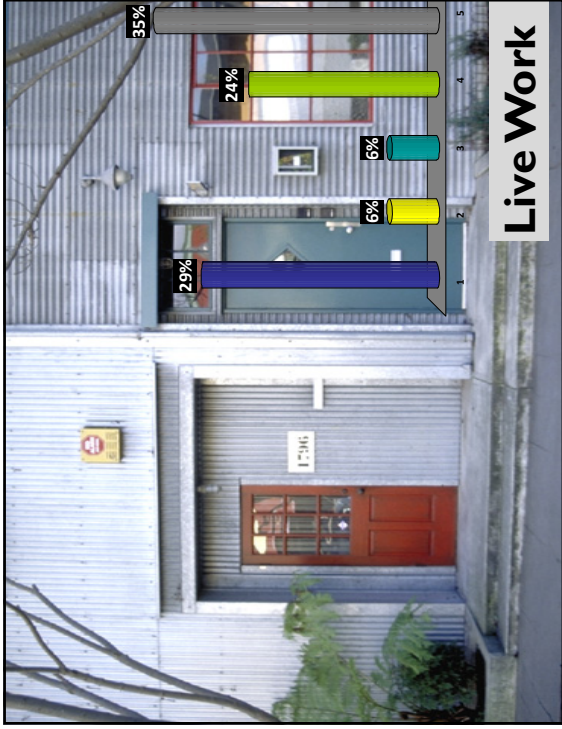
Vote on a sliding scale:

- 1: Inappropriate
- 2: Somewhat inappropriate
- 3: Neutral
- 4: Somewhat appropriate
- 5: Very appropriate





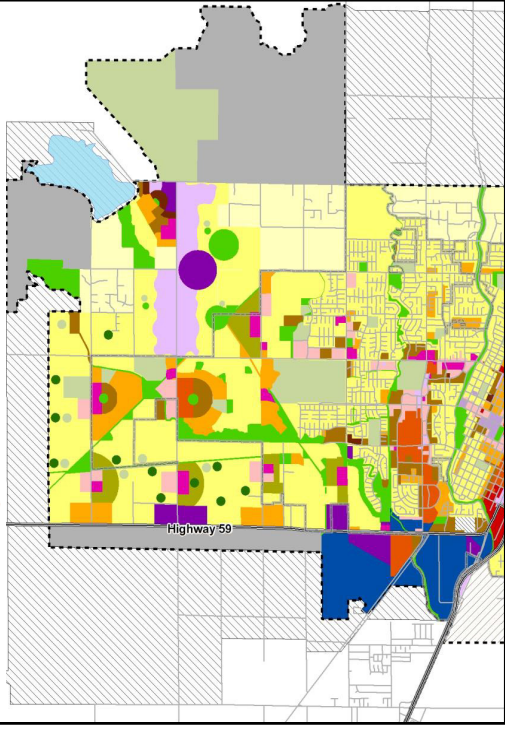




Urban Villages

- The General Plan calls for “urban villages” in new growth areas of Merced with a variety of uses, housing types, transit accessibility, and amenities
- How can the updated Zoning Ordinance best implement this goal?

Urban Villages in the General Plan



Vote on a sliding scale:

- 1: Inappropriate
- 2: Somewhat inappropriate
- 3: Neutral
- 4: Somewhat appropriate
- 5: Very appropriate

