

COMPREHENSIVE ZONING ORDINANCE UPDATE

PUBLIC FORUM
June 16, 2016

Kim Espinosa, Planning Manager

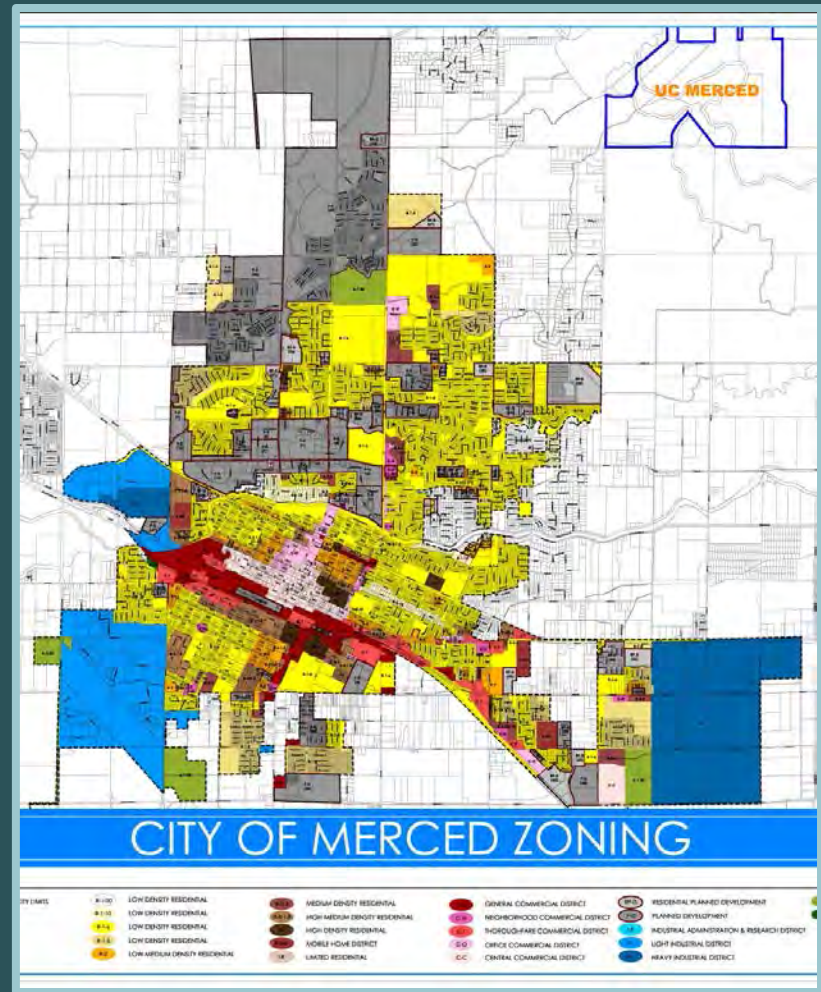
Overview of Public Forum

- Zoning Ordinance Update Process
- Overview of Public Review Draft
- Proposed Changes to Draft
- Public Comment
- Review Questions (As Time Allows)
- Next Steps
 - Planning Commission Public Hearing—
July 6, 2016
 - City Council Public Hearing—August
15, 2016 (Tentative)



What is the Zoning Code and Why Is It Important?

- The zoning ordinance spells out what land uses are allowed in each zoning district
- It spells out standards for development (building heights, distance from street, landscaping, parking, etc.)
- It is the main document that sets the tone for future & existing development
- It affects how neighborhoods and the City look now and in the future.



Why Did We Need An Update?

- Merced's Zoning Ordinance was adopted in the early 1960's and has never been comprehensively updated.
- The current ordinance contains no diagrams or illustrations...only pages and pages of text. Most people understand pictures and diagrams much easier. (*"A Picture is Worth a Thousand Words"*)
- Requires a lot of interpretation by City staff because a lot of modern land uses (dialysis centers, internet cafes, warehouse stores, etc.) did not exist when the ordinance was drafted.

Problems with Existing Ordinance

- Many Land Uses are not defined or are not listed anywhere in the ordinance so staff must interpret whether the use is similar to one that is listed
- Requirements for some land uses are listed in areas of the ordinance which makes them hard to find and easy to overlook
- The lack of illustrations make certain concepts (setbacks, heights, etc.) very hard to understand
- Some language is unclear which makes it hard to apply the standards consistently over time
- It contains many out-of-date concepts (i.e. vet clinics not being allowed in close proximity to residential)

Goals of the Update



- Make the entire ordinance more user-friendly and easier to understand
- Streamline the development process, making it simpler and faster
- Provide specific guidance to developers, builders, & business owners
- Add new zoning districts for new land use categories (Business Parks, Village Residential, mixed use, etc.) in the General Plan (adopted January 2012)
- “Clean-up” of outdated concepts and requirements

Zoning Ordinance Update

Key Elements of the Process



Key Steps in Update Process



1. Hiring of a Consultant--**August 2012** with grant funds.
2. Consultant--Prelim Draft completed before grant funds ran out in **December 2013**.
3. **July 2013-March 2015**—City staff worked with Focus Group to produce a complete Public Review Draft (September 2015).
4. Joint Planning Commission/City Council Study Session— **Dec. 7, 2015**
5. **January-February 2016**—Additional Focus Group Meetings to Address Suggestions from #4 above

Zoning Ordinance Focus Group



- Made up of Merced Residents with various interests, including Developers, Engineers, Planners, Real Estate, Banking, and Other Interested Citizens
- Met 17 Times from July 2013 to March 2015 (and 2 More Times from January-February 2016)
- Reviewed the Draft Ordinance and made various recommendations regarding the land use tables, development standards, development procedures, and other regulations.
- Recommended that Staff move forward with the Public Review Draft (March 2015)

Zoning Ordinance Focus Group



Zoning Ordinance Focus Group



Focus Group Chairman Bruce Logue	Jack Lesch
Jim Abbate	Elmer Lorenzi
Christina Alley	Guy Maxwell
Ann Andersen	Michelle Paloutzian
Todd Bender	Garth Pecchenino
Kenra Bragonier	Joe Ramirez
Adam Cox	Mike Salvadori
Ron Ewing	Jim Xu
Loren Gonella	Former Planning Commissioner Carole McCoy
Forrest Hansen	Former Planning Commissioner Brandon Williams
Flip Hasset	Council Member Tony Dossetti
Des Johnston	Mayor Stan Thurston

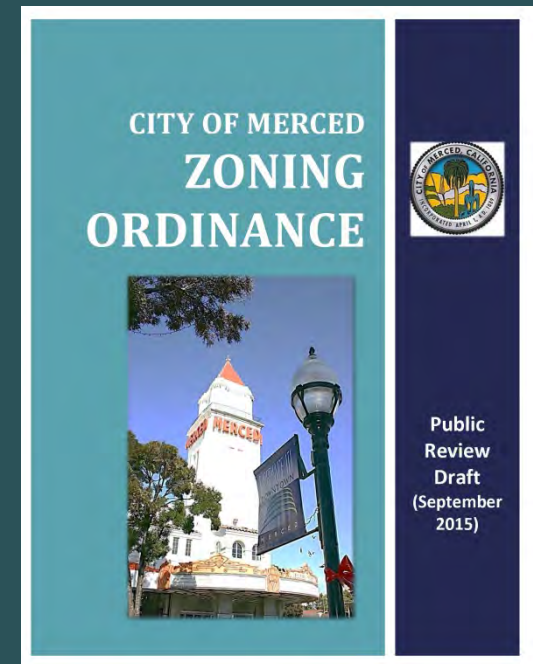
New Zoning Ordinance

Highlights



Reorganized with a New Format

- The Zoning Ordinance has a completely new format with long sections of text replaced by simplified text (long sections broken down into number lists, etc.), the use of tables, diagrams, and illustrations to illustrate most concepts, and the use of lots of color and photographs.
- The Ordinance has been completely reorganized to group similar concepts and to make regulations easier to find and understand.



Organization of New Code

□ **PART 1—ENACTMENT & APPLICABILITY**

- 20.02 Purpose and Effect of Zoning Ordinance
- 20.04 Interpretation of the Zoning Ordinance
- 20.06 Zones and Zoning Map

□ **PART 2—ZONING DISTRICT STANDARDS**

- 20.08 Residential Zones (6 zones, NEW R-R)
- 20.10 Urban Village Zones (3 NEW zones)
- 20.12 Commercial Zones (6 zones, including NEW Business Park zone)
- 20.14 Downtown Zones (3 NEW zones)
- 20.16 Industrial and Manufacturing Zones (2 zones)
- 20.18 Public Use and Agriculture Zones (4 Zones, 2 NEW)
- 20.20 Other Zones (2 Zones, including Planned Developments)
- 20.22 Overlay Zones (3 NEW zones)



Organization of New Code (Cont.)

□ PART 3—GENERAL REGULATIONS

- 20.24 Height Measurement and Exceptions
- 20.26 Setback Requirements and Exceptions
- 20.28 Accessory Structures and Accessory Uses
- 20.30 Walls and Fences
- 20.32 Interface Regulations
- 20.34 Creek Buffers
- 20.36 Landscaping
- 20.38 Parking and Loading
- 20.40 Small Lot Single Family Homes
- 20.42 Second Units



Organization of New Code (Cont.)

- **PART 3—GENERAL REGULATIONS (Cont.)**
 - 20.44 Special Land Use Regulations
 - 20.46 Residential Design Standards
 - 20.48 Home Occupations and Cottage Industries
 - 20.50 Temporary Uses and Structures
 - 20.52 Nonconforming Parcels, Uses and Structures
 - 20.54 Covenants for Easements
 - 20.56 Condominiums
 - 20.58 Density Bonus
 - 20.60 Wireless Communications
 - 20.62 Adult Entertainment
 - 20.64 Signs



Organization of New Code (Cont.)

□ PART 4—ZONING PERMITS & ADMINISTRATION

- 20.66 Administrative Responsibility
- 20.68 Permit Application and Review
- 20.70 Permit Requirements
- 20.72 Public Notice and Hearings
- 20.74 Post-Decision Procedures
- 20.76 Appeals
- 20.78 Enforcement
- 20.80 Fees
- 20.82 Conditional Zoning
- 20.84 Zoning Ordinance Amendments
- 20.86 General Plan Amendments
- 20.88 Reasonable Accommodations
- 20.90 Development Agreements

□ PART 5—DEFINITIONS



New Zoning Code Format

**Tables,
Diagrams,
&
Illustrations**

VS.

**Text , Text,
& More
Text**

What Uses Can Go in a C-N Zone?

2
Pages
of
Text

vs.

CHAPTER 20.22 C-N DISTRICT (Neighborhood Commercial)

20.22.020 Permitted uses.

The following are principal permitted uses:

- A. Any local retail business or service establishment, such as but not limited to a grocery store, bake shop, drug store, barber and beauty shop, clothes cleaning and laundry pickup station, business or professional office, financial institutions, supplying commodities or performing services for residents of the neighborhood;
- B. Restaurant, café, and soda fountain, not including entertainment or dancing, or sale of liquor, beer and other alcoholic beverages by the glass, or for consumption on the premises;
- C. Commercial parking lots for passenger vehicles;
- D. Any other retail business or service establishment which is determined by the commission to be of the same general character as the above permitted retail business or service uses;
- E. Beauty salons, barbershops, licensed massage establishments, tanning salons, and nail salons.

20.22.030 Accessory uses.

The following are accessory uses:

Accessory buildings and uses customarily appurtenant to a permitted use, such as an incidental storage facility, garage, or off-street parking area.

20.22.050 Conditional uses.

The following are conditional uses:

- A. Public and quasipublic uses appropriate to the C-N district;
- B. Auto service station;
- C. Sidewalk café;
- D. Social hall, lodge, fraternal organizations and clubs;
- E. Public utility uses, substations, and communication equipment buildings;
- F. Time and temperature signs. These signs are exempt from the provisions of Section 20.22.040, and only the words "time" and "temperature" or an abbreviation thereof,

and the electrically controlled figures indicating the time and temperature shall be permitted thereon, and the area of the sign shall not exceed twenty-four (24) square feet per face,

- G. Drive-in restaurant;
- H. Residential uses appropriate to R-1, R-2, R-3, or R-4 districts, subject to all restrictions and requirements of the residential zone that coincides with the density permitted.
- I. Theater;
- J. Restaurant or café, which includes the sale of liquor, beer, or other alcoholic beverages by the glass, or for consumption on the premises;
- K. Carwash;
- L. Convenience market with gasoline sales;
- M. Fast-food restaurants;
- N. Supermarket, super grocery store;
- O. Church;
- P. Shopping center;
- Q. Day-care facilities for more than twelve (12) children
- R. Day-care facilities for the elderly of twelve (12) or fewer persons;
- S. Retail business of 20,000 square feet or less selling alcoholic beverages for off-site consumption;
- T. Tattoo parlors.

Current Code

VS. 1 Land Use Table for All Commercial Zones

Key	Zoning District ^[1]							Additional Regulations
	C-O	C-N	C-C	C-SC	C-T	C-G	B-P	
P Permitted Use M Minor Use Permit Required SP Site Plan Review Permit Required C Conditional Use Permit Required X Use Not Allowed								
COMMERCIAL USES								
Alcoholic Beverage Sales [7]	X	P [7][8]	P [7]	C [7][8]	P [7]	P [7]	SP [7]	Sec.20.44.010
Bail Bond Businesses	C	X	C [10]	X	C	C	C	
Bars and Nightclubs	X	C	C	X	C	C	C	
Banks, Retail	P	P	P	P [9]	SP	SP	SP	
Bed and Breakfast	X	X	C	X	C	C	X	Sec.20.44.030
Building Supplies/Home Improvement	X	X	C	X	SP	P	SP	
Business Support Services	X	C	M	X	P	P	SP	
Cardrooms [5]	X	X	C [5]	X	C [5]	C [5]	X	Chapter 9.08
Cemeteries and Mausoleums	X	X	C	X	C	P	X	
Check Cashing/Payday Loan Establishments	C	X	C [10]	X	C	C	C	Sec.20.44.040
Commercial Recreation, Indoor (Except Below)	X	SP	SP	X	P	SP	C	
Multi-Screen (6 or More) Movie Theaters	X	C	P	X	C			
Commercial Recreation, Outdoor	X	X	X	X	P			

New Code

How High Can My Fence Be?

2
Pages
of
Text
VS.

Current
Code

20.62.040 - Projections into required yards.

Certain architectural features may project into required yards as follows:

- A. Cornices, canopies, eaves, or similar architectural features not providing additional floor space within the building, may project a distance not exceeding five (5) feet into required yards; provided, such projection shall not exceed one-half (½) the otherwise required yard.
- B. Fire escapes, bay windows, balconies and chimneys may project a distance not exceeding one (1) foot six (6) inches; provided, that such features do not occupy, in the aggregate, more than one-third (1/3) of the area of the building wall on which they are located.
- C. Uncovered patios may be located in required yards.
- D. Open, unenclosed, uncovered porches, platforms or landing places which do not extend above the level of the first floor of the building, may extend into any required yard not more than six (6) feet; provided, however, that an open railing not more than thirty (30) inches in height may be installed or constructed on any such porch, platform or landing place.
- E. Fences, walls and hedges if not exceeding six (6) feet in height may be located in any required interior yard. Fences, walls and hedges in exterior yards shall not exceed a height of two and one-half (2 ½) feet in the following locations:
 - 1. The area on the street side of a line connecting two (2) points on the exterior property lines each forty (40) feet from the point of intersection of the property lines extended;
 - 2. The area on the street side of a line connecting two (2) points, one (1) on the back of sidewalk and one (1) on the side line of any public or private alley or driveway, each point being ten (10) feet from the point of intersection of the back of sidewalk and the side line of such alley or driveway;
 - 3.

All other fences in required exterior yards shall not exceed a height of four (4) feet, except as specified in subsection F of this section.

- F. Fences, walls and hedges if not exceeding six (6) feet in height may be located in any corner lot exterior yard which does not abut the front yard of an adjacent lot or possible adjacent lot notwithstanding subdivisions 1 and 2 of subsection E of this section and all other provisions of this title.
- G. Fences, walls and hedges located on property within any I district may exceed the height limitations specified in this section, provided a conditional use permit is first obtained.
- H. With a conditional use permit, fences, walls or hedges not exceeding six (6) feet in height may be located in the required exterior side yard of a reversed corner lot; however, the fences, walls or hedges may not encroach into the triangular area, two (2) equal sides of which are the first twenty (20) feet of property lines of the subject reversed corner lot, measured from the point of intersection of the exterior side yard property line and the exterior yard property line shared with the adjacent lot.
- I. If the front of a house is located on the exterior side yard on a reversed corner lot, then the front yard of the lot may be treated as a side yard.
- J. On through lots, either property line separating the lot from a public thoroughfare may be treated as the front lot line. In such cases, the minimum rear yard shall be the average of the yards on the lots next adjoining. If such adjoining lots are undeveloped, the minimum rear yard shall conform to the front yard setback for the zone in which the lot is located.
- K. Hedges or other plantings of any height are allowed in exterior yards if they are at least fifteen (15) feet from the property line.
- L. No fences or walls of any height may be located in the required front yard or exterior side yard of a lot at the end of an open-ended cul-de-sac, unless approved by the site approval committee pursuant to Section [20.68.050](#)

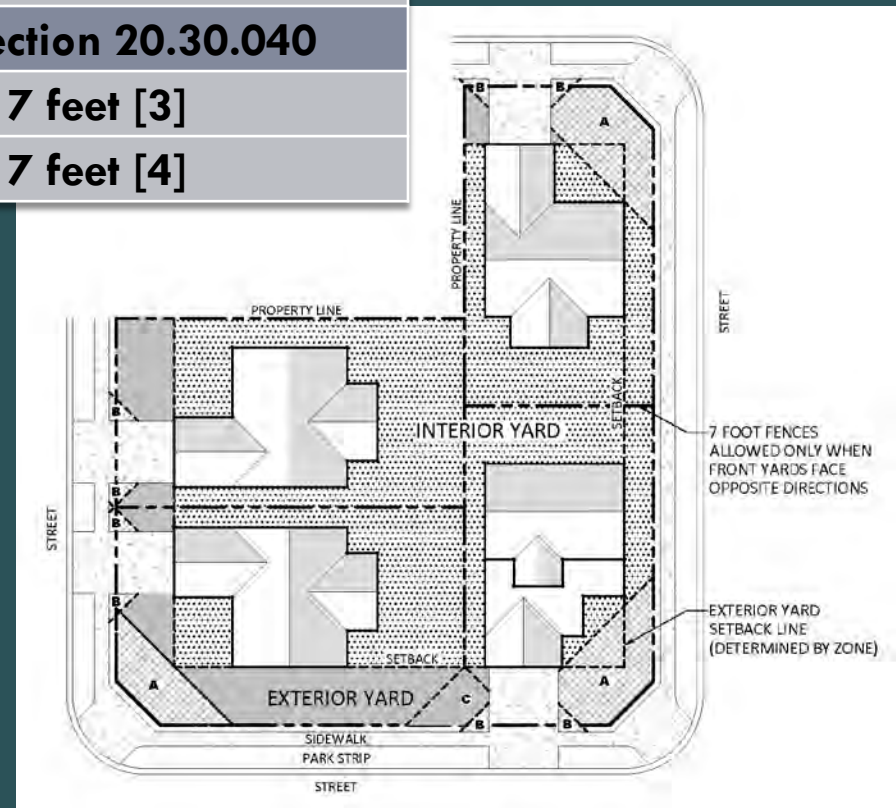
How High Can My Fence Be?

Location	Maximum Height
Within required exterior yards	4 feet [1]
Within a driveway vision triangle	2.5 feet [2]
Within a corner vision triangle	See Section 20.30.040
All other locations [3]	7 feet [3]
Corner Lot Exterior Yards [4]	7 feet [4]

VS.

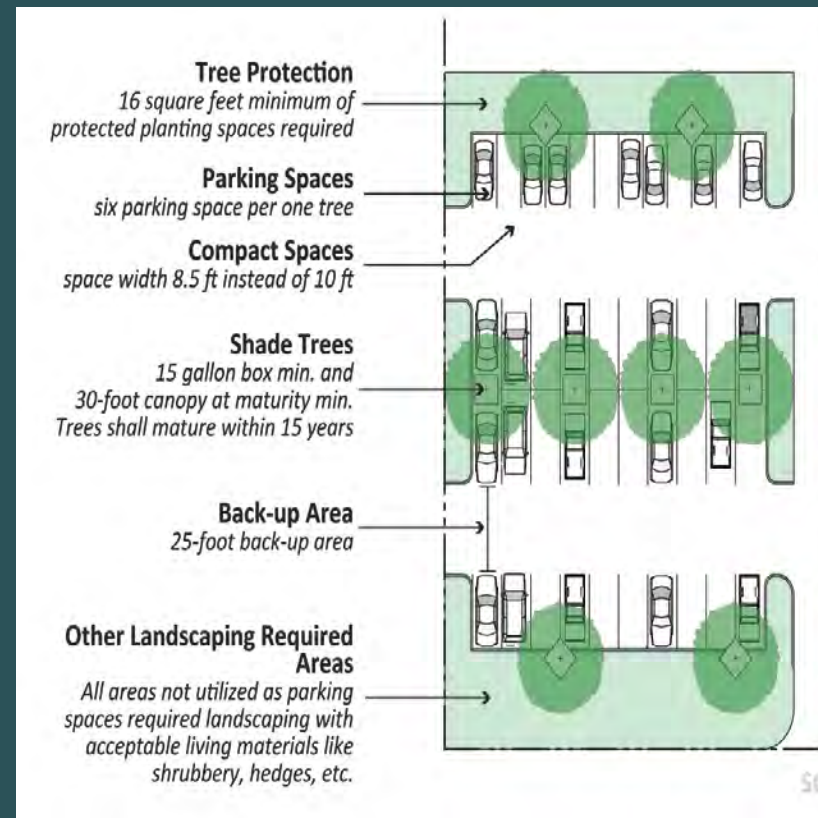
1 Diagram &
1 Table

New Code



VS. Simple Parking Table with Diagram

Land Uses	Number of Required Parking Spaces
RESIDENTIAL LAND USES	
Caretaker's Home	1 per unit
Duplexes	1.75 spaces per each unit up to 30 units and 1.5 spaces per each unit thereafter
Group Homes and Facilities	1 per unit plus 1 per 300 sq. ft. of office and other nonresidential areas
Group Housing	1 per unit
Live/Work Units	1.75 per unit
Mobile Home Parks	1 per unit and 1 per office or employee
Multiple Family	1.75 spaces per unit of 2 bedrooms or less up to 30 units and 1.5 spaces per unit thereafter, plus 0.5 spaces per additional bedroom over 2 in each unit
Residential Care Facilities, Small	1 per unit
Residential Care Facilities, Large (Includes Convalescent/Nursing Homes)	1 per 4 beds; plus 1 per 300 sq. ft. of office or 1 per employee, whichever is greater
Secondary Dwelling Units ("Second Units")	One or two bedrooms: 1 per unit; Three or more bedrooms: 2 per unit

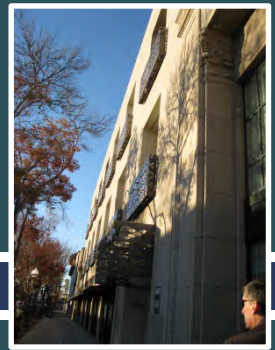


New Code

Streamlining The Development Process



Example of Proposed Changes-- Downtown Residential Projects



- The City's Central Commercial (C-C) zone which covers most of the Downtown Core requires that residential uses get a Conditional Use Permit.
 - i.e. "The Lofts" project on Main Street
- The City's General Plan and Downtown Strategy both express the City's desire to promote more residential uses Downtown.
- The Draft Code Proposes to Amend the C-C zone to allow residential uses without a CUP to fit in better with the City's long-term goals.

Proposed Changes to Planned Developments


- The Merced Mall is zoned “Planned Development.”
- In order to do an expansion of the Mall, the current zoning code requires:
 - A Site Utilization Plan revision (like a zone change), which must go to both the Planning Commission and the City Council for public hearings (8-12 week process), and,
 - A Conditional Use Permit, which just goes to the Planning Commission (6-8 weeks), requires a greater level of detail, and can be done at the same time or months or years later.
- The Draft Code proposes a streamlined process that eliminates the CUP requirement and allows for staff approval (Site Plan Review) of the design details.


Increased Use of Site Plan Reviews

- All “principally-permitted” uses in Industrial zones currently require “Site Plan Review”
- Site Plan Review is a staff-level process where the Director of Development Services, the City Engineer, and Chief Building Official review projects and apply conditions.
 - Generally done within 2-4 weeks
 - Site Plan Reviews can be appealed to the Planning Commission and the City Council
- This process is already “streamlined” and the Draft Code proposes to expand its use to other projects.
- “Minor Use Permits” (Director approval only, 1-2 weeks) also added to further streamline approval process for other uses.

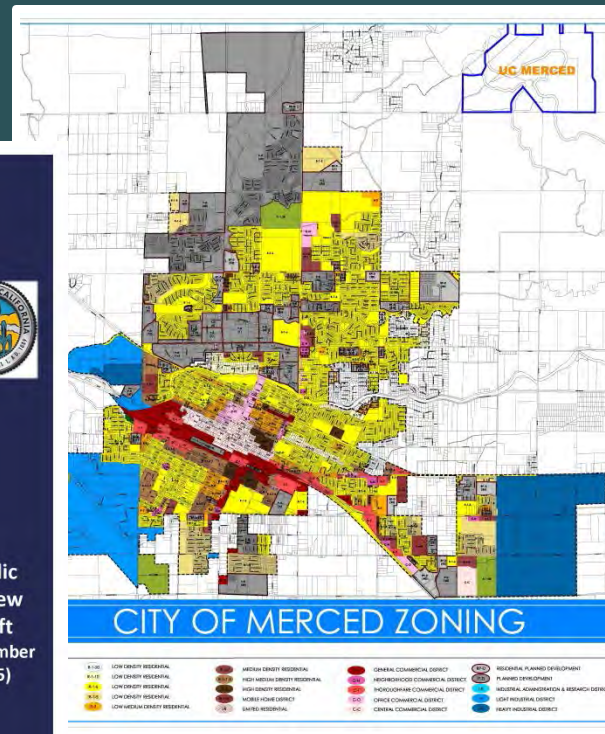
Public Review Draft

CITY OF MERCED
ZONING
ORDINANCE





Public
Review
Draft
(September
2015)



Public Review Draft (Sept 2015)

- The Public Review Draft is an “annotated” version.
- Within the document itself, the reader can see whether the code provisions are “NEW” or “Modified from the Current Ordinance” or “No Change from the Current Ordinance.”
- References to the existing Code sections are provided.
- For the land use tables and the parking requirements, existing code requirements are provided for comparison purposes at the end of the chapter.

Proposed Changes to Review Draft

- Most changes are minor corrections or clarifications.
- Major changes include:
 - ▣ Adding provisions regarding Medical Marijuana dispensaries, deliveries, and cultivation per recent City Council ordinance changes.
 - ▣ Adding suggestions regarding design of multi-family units discussed at Planning Commission/City Council study sessions.
 - ▣ Adding Community Gardens as uses allowed in Downtown and Village Zoning Districts and allowing sale of products on case-by-case basis
 - ▣ Increasing the number of parking spaces required for multi-family units with 3 or more bedrooms or bathrooms
 - ▣ Changing minimum parking space width from 8.5 to 9 feet

Next Steps



Next Steps



- Tonight's Public Forum— **June 16, 2016**
 - ▣ After public comment, option to go over Public Review Draft in detail through use of Review Questions.
- Planning Commission Public Hearing— **Wednesday, July 6, 2016 at 7:00 p.m.**
- City Council Public Hearing— **Monday, August 15, 2016 at 7:00 p.m. (Tentative)**





QUESTIONS?



PUBLIC COMMENT

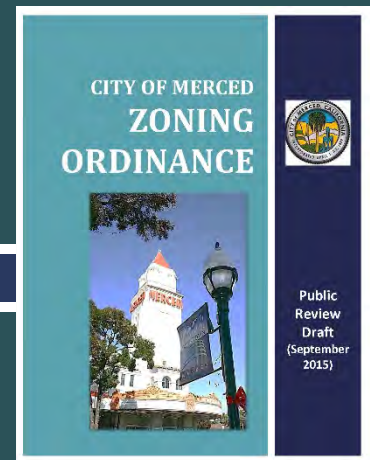
Review Questions



Part 1—Enactment & Applicability



Overall & Part 1



Overall Organization/Table of Contents

- 1) Although much of the content in the Public Review Draft is based on the City's current Zoning Ordinance, the new Ordinance is organized much differently. Do you like the way the Draft is organized? Is it easy to understand and readable? Is it easy to find provisions that apply to specific land uses? Do the land use tables make it easier to see which land uses are allowed in each zone? Are the tables that spell out development standards easy to understand? Are the illustrations clear and understandable?

Part 1—Enactment and Applicability

- 2) Part 1 is made up of three chapters, 20.02—Purpose, 20.04—Interpretation, and 20.06—Zoning Districts and Maps. These chapters serve as an introduction to the Zoning Ordinance and provide explanations of how the ordinance should be interpreted. Are these provisions clear or do they need further clarification?

Part 2—Zoning Districts



Land Use Tables—Review Procedures

a) P = Permitted Use.

- ❑ The City must allow the use to locate in that zone with a Building Permit or a Business License.

b) M = Minor Use Permit Required.

- ❑ New permit defined in Section 20.68.020
- ❑ Approved or Denied by the Director of Development Services or Referred Planning Commission
- ❑ No public hearings are required
- ❑ Generally not take more than 1-2 weeks, but would likely be much shorter.

Land Use Tables—Review Procedures

c) **SP = Site Plan Review Permit Required.**

- Reviewed by the Site Plan Review Committee (made up of the Director of Development Services, Chief Building Official, and City Engineer or their designees), unless referred to the Planning Commission
- No public hearings would not be required of Industrial uses (no change from the current ordinance); but public hearings would be required for properties directly adjacent to residentially zoned property or Interface reviews (Chapter 20.32) with a 10-day notice to adjacent properties.
- This review process should take no more than 3-6 weeks, less if no hearings are required.

Land Use Tables—Review Procedures

d) **C = Conditional Use Permit Required.**

- ▣ Reviewed by the Planning Commission, which may approve the use with conditions
- ▣ Requires environmental review and public hearings with 21-day notification required.
- ▣ Process generally takes 6-8 weeks, but could be longer.
- ▣ Actions of the Planning Commission can be appealed to the City Council.

e) **X = Use Not Allowed.**

- ▣ The City cannot allow the proposed use in that particular zone.

Chapter 20.08—Residential Zoning Districts

- 3) Please review carefully Table 20.08-1 on page 12 and think about whether the listed land uses are appropriate for those zones (keeping in mind the purpose of each zone described in Section 20.08.010) and whether the City review process proposed is appropriate, keeping in mind the descriptions of those procedures above. (Compare the proposed Table with the existing regulations in Table A1 on page 20A.)
- 4) The Rural Residential (R-R) District is a new district which corresponds to a General Plan land use designation. Do the regulations for the R-R district in Section 20.08.050 on page 20 seem appropriate?



Residential Zoning Districts

- Rural Residential (R-R) **[NEW]**
 - Single Family on Large Lots; Semi-Rural
- Low Density Residential (R-1)
 - Single Family; 4 Sub-Zones (R-1-5, R-1-6, R-1-10, R-1-20)
- Low Medium Density Residential (R-2)
 - Single-Family & Duplexes (1 unit/3,000 SF)
- Medium Density Residential (R-3)
 - Multi-Family; 2 Sub-Zones (R-3-1.5 & R-3-2)
- High Density Residential (R-4)
 - High Density Multi-Family (1 unit/1,000 feet)
- Mobile Home Park (R-MH)
 - Mobile Home Parks



TABLE 20.08-1--RESIDENTIAL ZONING DISTRICTS

Key	Zoning District ^[1]						Additional Regulations
	R-R	R-1	R-2	R-3	R-4	R-MH	
P Permitted Use							
M Minor Use Permit Required							
SP Site Plan Review Permit Required							
C Conditional Use Permit Required							
X Use Not Allowed							
RESIDENTIAL USES							
Duplex Homes	X	M[2]	P	P	P	X	
Fraternities and Sororities	X	C	C	C	C	X	Sec. 20.44.060
Group Housing	P [3]	P [3]	P [3]	P [3]	P [3]	P [3]	
Mobile Home Parks	C	X	X	X	X	SP	
Multiple-Family Dwellings	X	X	C [4]	P	P	X	
Residential Care Facilities, Small (1-6 persons)	P	P	P	P	P	P	
Residential Care Facilities, Large (More than 6)	C	C	C	C	C	X	
Secondary Dwelling Units ("Second Units")	P	P	P	P	P	X	Chapter 20.42
Single-Family Dwellings	P	P	P	P	P	M	Sec. 20.46.020
Single-Room Occupancy	X	X	X	SP	SP	X	Sec. 20.44.120

TABLE 20.08-1 --RESIDENTIAL ZONING DISTRICTS (CONT.)

Key	Zoning District ^[1]						Additional Regulations
	R-R	R-1	R-2	R-3	R-4	R-MH	
P Permitted Use M Minor Use Permit Required SP Site Plan Review Permit Required C Conditional Use Permit Required X Use Not Allowed							
COMMUNITY USES							
Colleges and Trade Schools	C	C	C	C	C	X	
Community Assembly	C	C	C	C	C	C	
Community Gardens	C	C	C	C	C	C	Sec. 20.44.050
Cultural Institutions	X	C	C	C	C	X	
Day Care Centers	X	X	X	M	M	M	
Day Care, Adult (1-12 persons)	X	X	C[5]	C[5]	C[5]	X	
Day Care Home Facilities, Small (1-8 children)	P	P	P	P	P	P	
Day Care Home Facilities, Large (9-14 children)	P	P	P	P	P	P	
Foster Family Homes, Small (6 persons or fewer)	P	P	P	P	P	P	
Foster Family Homes, Large (7+ persons)	C	X	X	C	C	X	
Golf Courses	C	C	X	X	X	X	
Nursing and Convalescent Homes	C	X	X	C	C	X	
Parks and Recreational Facilities	C	C	C	C	C	C	
Public Safety Facilities	C	C	C	C	C	C	
Schools, Public or Private	C	C	C	C	C	X	

TABLE 20.08-1 --RESIDENTIAL ZONING DISTRICTS (CONT.)

P Permitted Use M Minor Use Permit Required SP Site Plan Review Permit Required C Conditional Use Permit Required X Use Not Allowed	Zoning District ^[1]						Additional Regulations
	R-R	R-1	R-2	R-3	R-4	R-MH	
COMMERCIAL USES							
Bed and Breakfast	C	C	C	C	C	C	Sec. 20.44.030
Commercial Recreation, Indoor	X	X	X	X	X	M [6]	
Commercial Recreation, Outdoor	C	X	X	X	X	M [6]	
Home Occupation, Major	SP[9]	SP [9]	SP [9]	SP [9]	SP [9]	SP[9]	Chapter 20.48
Home Occupation, Minor	P[9]	P[9]	P[9]	P[9]	P[9]	P[9]	Chapter 20.48
Mobile Home Sales	X	X	X	X	X	M	
Personal Services	X	X	X	SP[6]	SP[6]	SP[6]	
Retail, General (Limited)	M[7]	X	X	M [8]	M [8]	M [6]	
Temporary Subdivision Sales Offices (<i>Max. 2 Yrs</i>)	P	P	P	P	P	P	
AGRICULTURE AND NATURAL RESOURCES USES							
Animal Raising and Production	SP[10]	C [10]	C [10]	C [10]	X	X	Chapter 6.04
Crop Cultivation	SP[10]	C [10]	C [10]	C [10]	C [10]	C [10]	
TRANSPORTATION, COMMUNICATIONS, AND UTILITIES USES							
Utilities, Major	C	C	C	C	C	X	
Utilities, Minor	P	P	P	P	P	X	
Wireless Communications Facilities	See Chapter 20.58						

Chapter 20.10—Commercial Zoning Districts

- 5) Please review carefully Table 20.10-11 on page 22 and think about whether the listed land uses are appropriate for those zones (keeping in mind the purpose of each zone described in Section 20.10.010) and whether the City review process proposed is appropriate, keeping in mind the descriptions of those procedures above. (Compare the proposed Table with the existing regulations in Table B1 on page 32A.)
- 6) In the current Zoning Ordinance, there are height restrictions applied in all zoning districts. In Table 20.10-2 on page 28 for all commercial zones (and also for industrial, Downtown, and other non-residential zones in later chapters), it is proposed that the height limits only apply to structures that are directly adjacent to residential zones and to allow exceptions to the height limits in those cases to be granted by the Site Plan Review Committee. This is designed to give flexibility to non-residential structures while still maintaining protections for residential areas. Do you agree with this change?

Chapter 20.10—Commercial Zoning Districts

- 7) The Ordinance proposes design guidelines for the new Business Park zoning district in Section 20.10.030(E) on page 30. City staff is proposing to also apply those same B-P guidelines to regional centers outside the Downtown area in the C-C zone to allow the C-C zone to function more like the corresponding “Regional/ Community Commercial” (RC) General Plan designation, instead of focusing mostly on Downtown. Are these changes appropriate?



Commercial Zoning Districts

- Neighborhood Commercial (C-N)
 - Serve Day-to-Day needs of residential neighborhoods
 - Minimum 3 acres; adjacent to neighborhoods
- Shopping Center Commercial (C-SC)
 - Specifically for Grocery Stores & Other Retail Uses selling Groceries
 - Minimum 5 acres
- Regional/Central Commercial (C-C)
 - Designed to serve Regional and Community needs
 - Allows a wide variety of retail & community uses
 - Ex. Merced Mall, Merced Marketplace, & Downtown



Commercial Zoning Districts (Cont.)

- Office Commercial (C-O)
 - Professional, Medical, & Business Offices
 - Limited restaurant & retail geared toward employees
- Thoroughfare Commercial (C-T)
 - Auto-oriented businesses along major thoroughfares
 - Large recreational facilities near highways
- General Commercial (C-G)
 - Heavy Commercial and Light Industrial Uses
- Business Park (B-P) {NEW}
 - Employment-intensive uses
 - “Back Offices,” Research & Development; & Limited Retail



TABLE 20.10-1--COMMERCIAL ZONING DISTRICTS

Key	Zoning District ^[1]							Additional Regulations
	C-O	C-N	C-C	C-SC	C-T	C-G	B-P	
P Permitted Use								
M Minor Use Permit Required								
SP Site Plan Review Permit Required								
C Conditional Use Permit Required								
X Use Not Allowed								
RESIDENTIAL USES								
Group Housing	X	X	P [3]	X	X	X	X	
Live/Work Units	C	C	P [2]	X	X	X	X	Section 20.44.080
Multiple-Family Dwellings	C	C	P	X	X	X	X	
Residential Care Facilities, Small (<i>6 or Less</i>)	X	X	P [3]	X	X	X	X	
Residential Care Facilities, Large (<i>More than 6</i>)	X	X	P [3]	X	X	X	X	
Single-Room Occupancy	X	X	P [3]	X	X	X	X	Section 20.44.120

TABLE 20.10-1--COMMERCIAL ZONING DISTRICTS (CONT.)

Key	Zoning District ^[1]							Additional Regulations
	C-O	C-N	C-C	C-SC	C-T	C-G	B-P	
P Permitted Use								
M Minor Use Permit Required								
SP Site Plan Review Permit Required								
C Conditional Use Permit Required								
X Use Not Allowed								
COMMUNITY USES								
Community Assembly	C	C	C	X	C	C	C	
Community Garden	SP	SP	SP	X	X	SP	X	
Colleges and Trade Schools	C	C	C	X	X	C	C	
Convalescent or Nursing Homes	C	C	C	X	X	X	X	
Cultural Institutions	C	C	C	X	C	C	C	
Day Care Centers (Children & Adults)	M	M	M	X	X	X	SP	
Emergency Shelters	X	X	C	X	C	P	X	Sec.20.44.150
Government Offices	P	P	P	X	C	C	C	
Hospitals and Surgery Centers	C	C	C	X	X	X	C	
Instructional Services	P	P	P	X	X	X	SP	
Medical Offices and Clinics	P	P	P	X	X	X	C	
Parks and Recreational Facilities	C	C	C	X	X	X	C	
Public Safety Facilities	SP	SP	P	C	SP	SP	SP	
Rehabilitation Centers	P	P [6]	P[10]	X	X	C	C	
Social Assistance Services	C	C	C	X	SP	P	X	

TABLE 20.10-1--COMMERCIAL ZONING DISTRICTS (CONT.)

Key	Zoning District ^[1]							Additional Regulations
	C-O	C-N	C-C	C-SC	C-T	C-G	B-P	
P Permitted Use								
M Minor Use Permit Required								
SP Site Plan Review Permit Required								
C Conditional Use Permit Required								
X Use Not Allowed								
COMMERCIAL USES								
Alcoholic Beverage Sales [7]	X	P [7][8]	P [7]	C [7][8]	P [7]	P [7]	SP [7]	Sec.20.44.010
Bail Bond Businesses	C	X	C [10]	X	C	C	C	
Bars and Nightclubs	X	C	C	X	C	C	C	
Banks, Retail	P	P	P	P [9]	SP	SP	SP	
Bed and Breakfast	X	X	C	X	C	C	X	Sec.20.44.030
Building Supplies/Home Improvement	X	X	C	X	SP	P	SP	
Business Support Services	X	C	M	X	P	P	SP	
Cardrooms [5]	X	X	C [5]	X	C [5]	C [5]	X	Chapter 9.08
Cemeteries and Mausoleums	X	X	C	X	C	P	X	
Check Cashing/Payday Loan Establishments	C	X	C [10]	X	C	C	C	Sec.20.44.040
Commercial Recreation, Indoor (Except Below)	X	SP	SP	X	P	SP	C	
Multi-Screen (6 or More) Movie Theaters	X	C	P	X	C	X	C	
Commercial Recreation, Outdoor	X	X	X	X	P	C	C	
Drive-Through and Drive-Up Sales	C	C	SP	X	P	P	SP	
Equipment Sales and Rental	X	X	X	X	P	P	SP	

TABLE 20.10-1--COMMERCIAL ZONING DISTRICTS (CONT.)

Key	Zoning District ^[1]							Additional Regulations
	C-O	C-N	C-C	C-SC	C-T	C-G	B-P	
P Permitted Use								
M Minor Use Permit Required								
SP Site Plan Review Permit Required								
C Conditional Use Permit Required								
X Use Not Allowed								
Farmer's Market	C	SP	SP	SP	SP	SP	SP	Sec.20.50.030B
Flea Market	X	X	X	X	C	C	C	
Funeral Parlors and Mortuaries	C	C	C	X	C	P	C	
Gas and Service Stations/Car Washes	X	C	SP	C [9]	P	P	SP	Sec.20.44.070
Hotels and Motels	X	X	P	X	P	C	C	
Hookah Lounges	X	C	C	X	C	C	C	
Kennels	X	X	X	X	C	P	C	
Maintenance and Repair Services	X	X	X	X	P	P	SP	
Massage Establishments	C [16]	C [16]	C [16]	X	C [16]	C [16]	X	Chapter 5.44
Massage Therapy—Sole Practitioner	P[17]	P[17]	P[17]	X	C [16]	C [16]	X	Chapter 5.44
Mobile Food Vendors	C	C	C [10]	X	SP [11]	SP	C	Sec. 5.54 & 20.44.020
Mobile Home Sales	X	X	X	X	P	P	SP	
Office, Professional	P	P	P	C [9]	SP	SP	SP	
Pawn Shops	X	X	C [10]	X	X	P	X	
Personal Services	SP	P	P	P [9]	SP	SP	SP [12]	

TABLE 20.10-1--COMMERCIAL ZONING DISTRICTS (CONT.)

Key	Zoning District ^[1]							Additional Regulations
	C-O	C-N	C-C	C-SC	C-T	C-G	B-P	
P Permitted Use								
M Minor Use Permit Required								
SP Site Plan Review Permit Required								
C Conditional Use Permit Required								
X Use Not Allowed								
COMMERCIAL USES (Continued)								
Retail, General	SP [12]	P	P	P [9]	P	SP	SP	
Restaurants	C [13]	P [8]	P	C [9]	P	M	SP [12] [13]	
Tattoo Parlors	X	SP	M	X	M	M	SP	
Tobacco Retailers [18]	X	P [18]	P [18]	P [18]	P [18]	P [18]	SP[18]	Sec.20.44.160
Vehicle Parts and Accessories Sales	X	P	P	X	P	P	SP	
Vehicle Rentals	X	X	M	X	P	P	SP	
Vehicle Repair and Maintenance, Major	X	X	X	X	C	P	C	
Vehicle Repair and Maintenance, Minor	X	SP	P	X	P	P	C	
Vehicle Sales	X	X	P [10] [14]	X	P	P	C	
INDUSTRIAL USES								
Manufacturing and Processing, General	X	X	X	X	X	M	C	
Manufacturing and Processing, Light	X	X	X	X	X	P	SP	
Research and Development	C	X	C	X	SP	SP	P	
Warehousing, Wholesaling, and Distribution	X	X	SP[15]	X	P	P	SP	
Wrecking & Salvage Establishments	X	X	X	X	C	C	X	Sec.20.44.140

TABLE 20.10-1--COMMERCIAL ZONING DISTRICTS (CONT.)

Key	Zoning District ^[1]							Additional Regulations
	C-O	C-N	C-C	C-SC	C-T	C-G	B-P	
P Permitted Use								
M Minor Use Permit Required								
SP Site Plan Review Permit Required								
C Conditional Use Permit Required								
X Use Not Allowed								
TRANSPORTATION, COMMUNICATION, AND UTILITY USES								
Airports	X	X	X	X	C	C	C	
Freight Terminals	X	X	X	X	C	C	C	
Heliports	C	X	C	X	C	C	C	
Parking Facilities	P	P	P	P[9]	P	P	P	
Public/Mini Storage	X	X	X	X	M	M	SP	
Recycling Collection Facilities								Sec.20.44.090
Reverse Vending Machines	P	P	P	M[9]	P	P	P	
Small Collection Facilities	SP	SP	SP	SP[9]	SP	SP	SP	
Large Collection Facilities	X	X	X	X	C	C	C	
Utilities, Major	C	C	C	X	C	C	C	
Utilities, Minor	P	P	P	P[9]	P	P	P	
Wireless Communications Facilities	See Chapter 20.58							

Chapter 20.12—Industrial Zoning Districts

- 8) Please review carefully Table 20.12-11 on page 33 and think about whether the listed land uses are appropriate for those zones (keeping in mind the purpose of each zone described in Section 20.12.010) and whether the City review process proposed is appropriate, keeping in mind the descriptions of those procedures above. (Compare the proposed Table with the existing regulations in Table C1 on page 40A.)



Industrial Zones

- Light Industrial (I-L)
 - Manufacturing, Wholesale, & Storage
 - Research & Development
 - Minimum 5 acres
- Heavy Industrial (I-H)
 - Full Range of Industrial & Manufacturing Uses
 - Can Involve Hazardous Materials
 - Minimum 10 acres



TABLE 20.12-1--INDUSTRIAL ZONING DISTRICTS

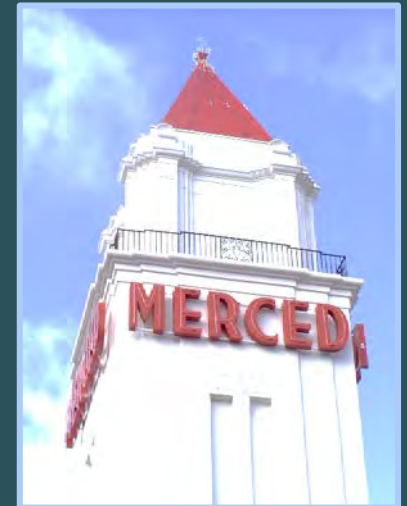
Key	Zoning District ^[1]		Additional Regulations
	I-L	I-H	
P Permitted Use M Minor Use Permit Required SP Site Plan Review Permit Required C Conditional Use Permit Required X Use Not Allowed			
RESIDENTIAL USES			
Caretaker's Home	SP	X	
COMMUNITY USES			
Colleges and Trade Schools	C	X	
Instructional Services	C [2]	X	
Public Safety Facilities	SP	C	
COMMERCIAL USES			
Adult Entertainment Businesses	SP	SP	Chapters 5.58 and 20.60
Building Supplies and Home Improvement Stores	SP	X	
Business Support Services	SP	X	
Equipment Sales and Rental	SP	X	
Gas and Service Stations/Car Washes	SP [5]	SP [5]	Section 20.44.070
Horticultural Nurseries, Retail	C	X	
Horticultural Nurseries, Wholesale	SP	X	
Mobile Food Vendors	C	C	Chapter 5.54 and 20.44.020
Restaurants	C [4]	C [4]	
Retail (Products Manufactured On-site Only)	SP [3]	SP [3]	
Vehicle Repair and Maintenance	SP [5]	SP [5]	

TABLE 20.12-1--INDUSTRIAL ZONING DISTRICTS

Key	Zoning District ^[1]		Additional Regulations
	I-L	I-H	
P Permitted Use M Minor Use Permit Required SP Site Plan Review Permit Required C Conditional Use Permit Required X Use Not Allowed			
INDUSTRIAL USES			
Construction and Material Yards	SP	SP	
Manufacturing and Processing, Light	SP	SP	
Manufacturing and Processing, General	SP	SP	
Manufacturing and Processing, Heavy	X	SP [6]	Section 20.12.020.B
Research and Development	SP	SP	
Wrecking and Salvage Establishments	X	C	Section 20.44.140
TRANSPORTATION, COMMUNICATION, AND UTILITY USES			
Freight Terminals	X	SP	
Public/Mini Storage	SP	X	
Recycling Collection Facilities, Small	SP	X	Section 20.44.090
Recycling Collection Facilities, Large	SP	SP	Section 20.44.090
Recycling Processing Facilities	SP	SP	Section 20.44.090
Utilities, Major	C	SP	
Utilities, Minor	SP	SP	
Warehousing, Wholesaling and Distribution	SP	SP	
Wireless Communications Facilities	See Chapter 20.58		

Chapter 20.14—Downtown Zoning Districts

- 9) Do you think the creation of these 3 new Downtown zoning districts to better reflect the unique characteristics of different Downtown commercial areas is worthwhile or should the City continue to just use the current C-C zone?
- 10) Please review carefully Table 20.14-11 on page 42 and think about whether the listed land uses are appropriate for those zones (keeping in mind the purpose of each zone described in Section 20.14.010) and whether the City review process proposed is appropriate, keeping in mind the descriptions of those procedures above.
- 11) Are the new development standards in Section 20.14.030 starting on page 45 appropriate or too restrictive?



Downtown Zones {NEW}

- Downtown Core (D-COR)
 - Destination for Arts, Entertainment, Retail, & Dining
 - Includes Housing
 - Pedestrian Friendly & Compact
- Downtown Office (D-O)
 - Offices and Personal Services
 - Buffer between D-COR and residential neighborhoods
- Downtown Commercial (D-CM)
 - Gateway areas adjacent to the D-COR
 - Includes residential, commercial, & Office uses



TABLE 20.14-1--DOWNTOWN ZONING DISTRICTS

Key	Zoning District			Additional Regulations
	D-COR	D-O	D-CM ^[1]	
P Permitted Use				
M Minor Use Permit Required				
SP Site Plan Review Permit Required				
C Conditional Use Permit Required				
X Use Not Allowed				
RESIDENTIAL USES				
Group Housing	P [3]	P [3]	SP	
Live/Work Units	P [2]	P [2]	P [2]	Sec. 20.44.080
Multiple-Family Dwellings	P	P	SP	
Residential Care Facilities, Small (6 or fewer residents)	P [3]	P [3]	SP	
Residential Care Facilities, Large (More than 6 residents)	C	C	C	
Single-Room Occupancy	P [3]	SP	SP	Sec. 20.44.120
COMMUNITY USES				
Community Assembly	C	C	C	
Colleges and Trade Schools	P	P	C	
Cultural Institutions	M	M	M	
Day Care Home Facilities, Small (8 children or less)	P	P	P	
Day Care Home Facilities, Large (9 to 14 children)	P	P	P	
Day Care Centers	M	M	M	
Government Offices	P	P	P	
Instructional Services	P	M	P	
Medical Offices and Clinics	P	P	P	
Parks and Recreational Facilities	P	P	P	
Public Safety Facilities	SP	SP	SP	
Rehabilitation Centers	X [4][5]	C [4][5]	C [4][5]	
Schools, Public or Private	C	C	C	
Social Assistance Services	C	SP	SP	

TABLE 20.14-1--DOWNTOWN ZONING DISTRICTS

Key	Zoning District			Additional Regulations
	D-COR	D-O	D-CM ^[1]	
P Permitted Use				
M Minor Use Permit Required				
SP Site Plan Review Permit Required				
C Conditional Use Permit Required				
X Use Not Allowed				
COMMERCIAL USES				
Bail Bond Businesses	X [4]	C [4]	C [4]	
Banks, Retail	P	P	P	
Bars and Nightclubs	C	X	C	
Bed and Breakfast	C	C	C	Sec. 20.44.030
Billiard Parlor or Pool Hall (6 or more tables)	C	X	C	
Business Support Services	SP	M	M	
Check Cashing/Payday Loan Establishments	X [4]	C	C	Sec. 20.44.040
Commercial Recreation, Indoor	P	X	P	
Drive-Through and Drive-Up Sales	X	X	C	
Funeral Parlors and Mortuaries	C	C	C	
Gas and Service Stations	C	X	C	Sec. 20.44.070
Hookah Lounges	C	X	C	
Hotels and Motels	P	C	P	
Maintenance and Repair Services	C	X	C	
Mobile Food Vendors	X	C	C	

TABLE 20.14-1--DOWNTOWN ZONING DISTRICTS

Key	Zoning District			
	D-COR	D-O	D-CM ^[1]	Additional Regulations
P Permitted Use				
M Minor Use Permit Required				
SP Site Plan Review Permit Required				
C Conditional Use Permit Required				
X Use Not Allowed				
COMMERCIAL USES (CONT.)				
Office, Professional	P	P	P	
Pawn Shops	X[4]	X	C	
Personal Services	P	M	P	
Restaurant	P	SP	P	
Retail, General	P	C	P	
Retail, with Alcohol Sales (If Less than 20,000 Square Feet in Building Size)	C	X	C	Sec. 20.44.010
Retail, with Alcohol Sales (More than 20,000 Square Feet in Building Size)	P	X	P	Sec. 20.44.010
Skateboard Stores	X [4]	X	P [4]	
Tattoo Parlors	C	M	M	
Vehicle Rentals	M	X	C	
Vehicle Sales	C [6]	X	C	

TABLE 20.14-1--DOWNTOWN ZONING DISTRICTS

Key	Zoning District			
	D-COR	D-O	D-CM ^[1]	Additional Regulations
P Permitted Use M Minor Use Permit Required SP Site Plan Review Permit Required C Conditional Use Permit Required X Use Not Allowed				
INDUSTRIAL USES				
Research and Development	C	SP	C	
TRANSPORTATION, COMMUNICATION, AND UTILITY USES				
Recycling Facilities				Sec. 20.44.090
Reverse Vending Machines	P	P	P	
Small Collection Facilities	X	X	M	
Large Collection Facilities	X	X	C	
Transportation Terminals	C	X	C	
Parking Facilities	SP	SP	SP	
Utilities, Major	C	C	C	
Utilities, Minor	P	P	P	
Wireless Communication Facilities	See Chapter 20.58			

Chapter 20.16—Urban Village Zoning Districts

- 12) These 3 new Urban Village zoning districts have been created to correspond to the Urban Village designations in the City's General Plan and would offer additional zoning options for developers to choose (if they wish) instead of Planned Developments in newly annexed areas. Are these new zoning districts necessary?
- 13) Please review carefully Table 20.16-11 starting on page 53 and think about whether the listed land uses are appropriate for those zones (keeping in mind the purpose of each zone described in Section 20.16.010) and whether the City review process proposed is appropriate, keeping in mind the descriptions of those procedures above.
- 14) Are the new development standards in Section 20.16.030 starting on page 55 appropriate or too restrictive?

Urban Village Zones {NEW}

- Inner Village Residential (R-IV)
 - Multi-Family, Townhomes, Live-Work units, etc.
 - Buffer between C-V and R-OV
- Outer Village Residential (R-OV)
 - Low Density Residential uses
 - Parks and Schools
- Village Commercial (C-V)
 - Wide variety of residential, commercial, & public uses
 - Pedestrian and Transit Friendly, Compact development
 - Meets Day-to-Day Shopping Needs
 - Central Gathering Place

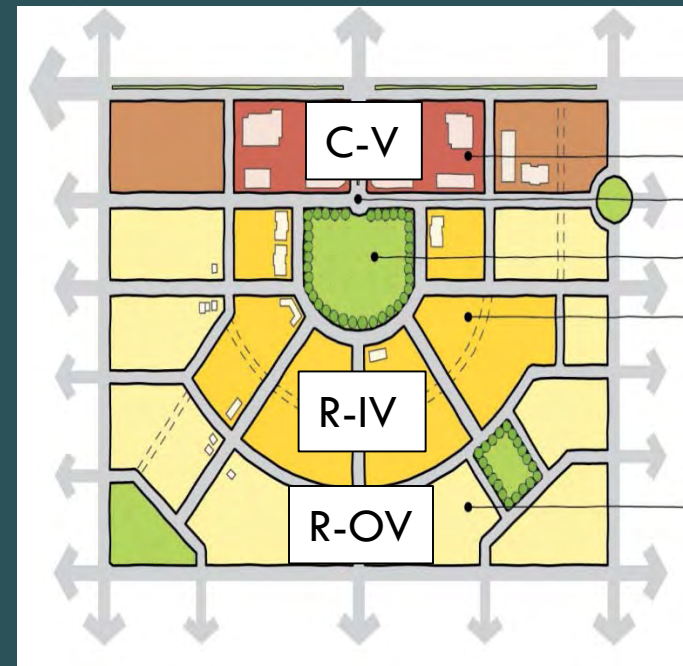


TABLE 20.16-1--URBAN VILLAGE ZONING DISTRICTS

Key	Zoning District			
	R-OV	R-IV	C-V	Additional Regulations
P Permitted Use				
M Minor Use Permit Required				
SP Site Plan Review Permit Required				
C Conditional Use Permit Required				
X Use Not Allowed				
RESIDENTIAL USES				
Single Family Dwellings	P	C [3]	X	
Duplexes	P	P [3]	X	
Multiple Family Dwellings	X	P [3]	P [1][3]	
Secondary Dwelling Units	P	P [3]	X	Chapter 20.42
Live/Work Units	C	M [3]	P [1]	Sec. 20.44.080
Group Housing	X	SP [3]	P [1]	
Residential Care Facilities, Small (6 or Less residents)	P	P	X	
Residential Care Facilities, Large (More than 6 residents)	C	C	C [1]	
Residential Mixed Use	X	C [3]	SP [3]	
Single-Room Occupancy	X	SP [3]	SP [1][3]	Sec. 20.44.120

TABLE 20.16-1--URBAN VILLAGE ZONING DISTRICTS

Key	Zoning District			
	R-OV	R-IV	C-V	Additional Regulations
P Permitted Use				
M Minor Use Permit Required				
SP Site Plan Review Permit Required				
C Conditional Use Permit Required				
X Use Not Allowed				
COMMUNITY USES				
Community Assembly	C	C	C	
Colleges and Trade Schools	X	C	C	
Cultural Institutions	C	C	P	
Day Care Centers	SP	M	M	
Day Care Home Facilities, Small (1-8 children)	P	P	P	
Day Care Home Facilities, Large (9-14 children)	P	P	P	
Government Offices	X	X	P	
Instructional Services	X	X	P	
Parks and Recreational Facilities	P	P	P	
Public Safety Facilities	C	C	C	
Schools, Public or Private	C	C	C	
Social Assistance Services	X	X	SP	

TABLE 20.16-1--URBAN VILLAGE ZONING DISTRICTS

Key	Zoning District			
	R-OV	R-IV	C-V	Additional Regulations
P Permitted Use				
M Minor Use Permit Required				
SP Site Plan Review Permit Required				
C Conditional Use Permit Required				
X Use Not Allowed				
COMMERCIAL USES				
Banks, Retail	X	X	P	
Bars and Nightclubs	X	X	C	
Business Support Services	X	X	M	
Check Cashing/Payday Loan Establishments	X	X	C	Sec. 20.44.040
Commercial Recreation, Indoor	X	X	SP	
Construction, Maintenance, and Repair Services	X	X	C	
Drive-Through and Drive-Up Sales	X	X	SP	
Funeral Parlors and Mortuaries	X	X	C	
Gas and Service Stations	X	X	C	Sec. 20.44.070
Hookah Lounges	X	X	C	
Hotels and Motels	X	X	P	
Office, Professional	X	X	P	

TABLE 20.16-1--URBAN VILLAGE ZONING DISTRICTS

Key	Zoning District			
	R-OV	R-IV	C-V	Additional Regulations
P Permitted Use M Minor Use Permit Required SP Site Plan Review Permit Required C Conditional Use Permit Required X Use Not Allowed				
COMMERCIAL USES				
Pawn Shops	X	X	C	
Personal Services	X	X	P	
Retail, General	X	C [1]	P	
Retail, with Alcohol Sales (<i>Less than 20,000 SF in Building Size</i>)	X	X	C	
Retail, with Alcohol Sales (<i>More than 20,000 SF in Building Size</i>)	X	X	P	
Restaurants	X	X	P	
Tattoo Parlors	X	X	M	
Vehicle Sales and Rental	X	X	C	
TRANSPORTATION, COMMUNICATION, AND UTILITY USES				
Recycling Facilities				Sec. 20.44.090
Reverse Vending Machines	P	P	P	
Small Collection Facilities	X	X	M	
Parking Facilities	X	X	C	
Transportation Terminals	X	X	C	
Utilities, Major	C	C	C	
Utilities, Minor	P	P	P	
Wireless Communications Facilities	See Chapter 20.58			

Chapters 20.18—Public Use/Agriculture

- 15) This chapter contains 2 new zoning districts, **Parks and Open Space (P-OS)** and **Public Facility (P-F)**, along with the existing **Public Parking (P-PK)** zone and a **modified Agricultural (A-G) zone** which replaces the current A-T-5 and A-1-20. Are these new P-OS and P-F zones worthwhile additions or will they have limited use due to the small number of uses allowed in each?
- 16) Please review carefully Table 20.18-11 on page 60 and think about whether the listed land uses are appropriate for those zones (keeping in mind the purpose of each zone described in Section 20.18.010) and whether the City review process proposed is appropriate, keeping in mind the descriptions of those procedures above.

Public Use & Agriculture Zones

- Parks and Open Space (P-OS) {NEW}
 - Public parks & recreational uses
- Public Facility (P-F) {NEW}
 - Government Facilities
- Public Parking District (P-PK)
 - Public Parking Lots with Free Parking
- Agriculture (A-G)
 - Agricultural uses in an urban setting

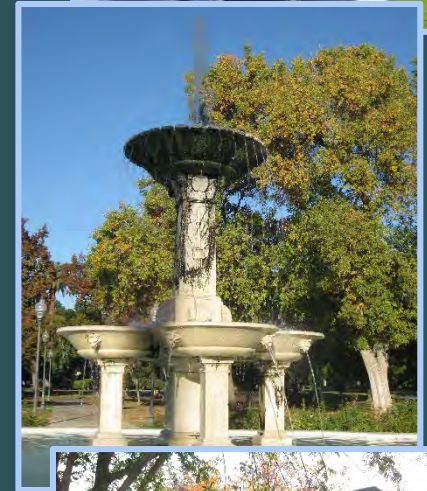


TABLE 20.18-1--PUBLIC USE/AGRICULTURAL DISTRICTS

Key	Zoning District				
	[NEW] P-OS	[NEW] P-F	P-PK	A-G [11]	Additional Regulations
P Permitted Use					
M Minor Use Permit Required					
SP Site Plan Review Permit Required					
C Conditional Use Permit Required					
X Use Not Allowed					
RESIDENTIAL USES					
Residential Care Facilities, Small	X	X	X	P [2]	
Single-Family Dwellings	X	X	X	P [2]	
COMMUNITY USES					
Cemeteries and Mausoleums	C [1]	C	X	C	
Colleges and Trade Schools	X	C	X	C [2]	
Community Assembly	X	C	X	X	
Cultural Institutions	C [1]	C	X	C [2]	
Day Care Home Facilities, Small (8 or less children)	X	X	X	P [2]	
Day Care Home Facilities, Large (9 to 14 children)	X	X	X	P [2]	
Day Care Centers	X	M	X	X	
Golf Courses	C	C	X	C	
Government Offices	X	P	X	X	
Hospitals	X	C	X	X	
Instructional Services	X	X	X	X	
Medical Offices and Clinics	X	X	X	X	
Public Safety Facilities	C	P	X	X	
Schools, Public or Private	X	C	X	C	
Social Assistance Services	X	C	X	X	

TABLE 20.18-1--PUBLIC USE/AGRICULTURAL DISTRICTS

Key	Zoning District				
	<u>[NEW]</u> P-OS	<u>[NEW]</u> P-F	P-PK	A-G [11]	Additional Regulations
P Permitted Use					
M Minor Use Permit Required					
SP Site Plan Review Permit Required					
C Conditional Use Permit Required					
X Use Not Allowed					
COMMERCIAL USES					
Bars and Nightclubs	X	X	C [3]	X	
Banks, Retail	X	X	P [3]	X	
Commercial Recreation, Indoor	X	X	C [3]	X	
Commercial Recreation, Outdoor	C	X	X	C [4]	
Hotels and Motels	X	X	P [3]	X	
Office, Professional	X	X	P [3]	X	
Parks and Recreational Facilities	P	P	X	P [2]	
Personal Services	X	X	P [3]	X	
Restaurants	X	X	P [3][8]	X	
Retail, General	X	X	P [3]	SP[6]	
Retail, with Alcohol Sales (<i>Less than 20,000 Square Feet in Building Size</i>)	X	X	C [3]	X	
Wholesale Horticultural Nurseries	X	X	X	C	
Vehicle Parts and Accessories Sales	X	X	P [3]	X	
Vehicle Sales and Rental	X	X	P [3]	X	

TABLE 20.18-1--PUBLIC USE/AGRICULTURAL DISTRICTS

Key	Zoning District				
	[NEW] P-OS	[NEW] P-F	P-PK	A-G [11]	Additional Regulations
P Permitted Use					
M Minor Use Permit Required					
SP Site Plan Review Permit Required					
C Conditional Use Permit Required					
X Use Not Allowed					
INDUSTRIAL USES					
Manufacturing and Processing, Light	X	X	X	C [7]	
Warehousing, Wholesaling, and Distribution	X	X	X	C [7]	
AGRICULTURE AND NATURAL RESOURCE USES					
Agricultural Processing	X	X	X	C [7]	
Animal Raising and Production	X	X	X	P [9]	Chapter 6.04
Crop Cultivation	X	X	X	P	
TRANSPORTATION, COMMUNICATION, AND UTILITY USES					
Parking Facilities	C [1]	C	P [5]	X	
Recycling Facilities (All Types)	X	X	X	X	Sec. 20.44.090
Transportation Terminals	X	C	X	X	
Utilities, Major	X	C	X	C	
Utilities, Minor	M	M	X	C [10]	
Wireless Communications Facilities	See Chapter 20.58				

Ch. 20.20 & 20.22—Special Use & Overlay Zones

Chapter 20.20—Special Use Zoning Districts

17) The “Summary of Major Changes” notes several changes to the Planned Development requirements, starting on page 66, to make it more flexible and easier for developers to use. Are these changes appropriate?



Chapter 20.22—Overlay Zones

18) What do you think of the new Urban Residential (/UR) overlay zone, starting on page 74? Will it encourage the use of different housing types not typically found in Merced?



Special Use & Overlay Zones

- Urban Transition Zone (U-T)
 - For those newly-annexed areas; maintains current land uses
- Planned Developments (P-D)
 - Allows Increased Flexibility, Mixed Use, & Innovative Designs
- Overlay Zones {NEW}
 - Airport Environs (/AE)
 - To Ensure Compatibility with Merced Regional Airport
 - High Speed Rail (/HSR)
 - Placeholder for Overlay Zone for Area around High Speed Rail Station
 - Urban Residential (/UR)
 - Accommodates More Residential Building Types



Part 3—General Regulations



Chapter 20.30—Walls and Fences



- 19) Section 20.30.020(A)(2) on page 98 would allow the addition of 1 foot of lattice on residential fences and Note 2 of Table 20.30-1 on page 98 would allow the **maximum height of backyard residential fences** to be increased from 6 feet to **7 feet**. Are these changes appropriate?
- 20) Section 20.30.030 on Corner Vision Triangles on page 103 defines the areas where fence heights are limited in order to ensure visibility at intersections. The DRAFT proposes to change the requirement from 10 feet to 15 feet for driveways and alleys and to change the current requirement from 40 feet for all intersections to 25 feet, 40 feet, or 55 feet depending on the type of street. Are these changes appropriate?
- 21) The City's current Ordinance does not address some common **wall materials**. Section 20.30.040 on page 104 allows barbed wire fences in residential zones, razor wire fences in all zones, and electric fences in only non-residential zones, all with a Minor Use Permit. Are these provisions appropriate?




TABLE 20.30-1 -- FENCE HEIGHT IN RESIDENTIAL ZONING DISTRICTS

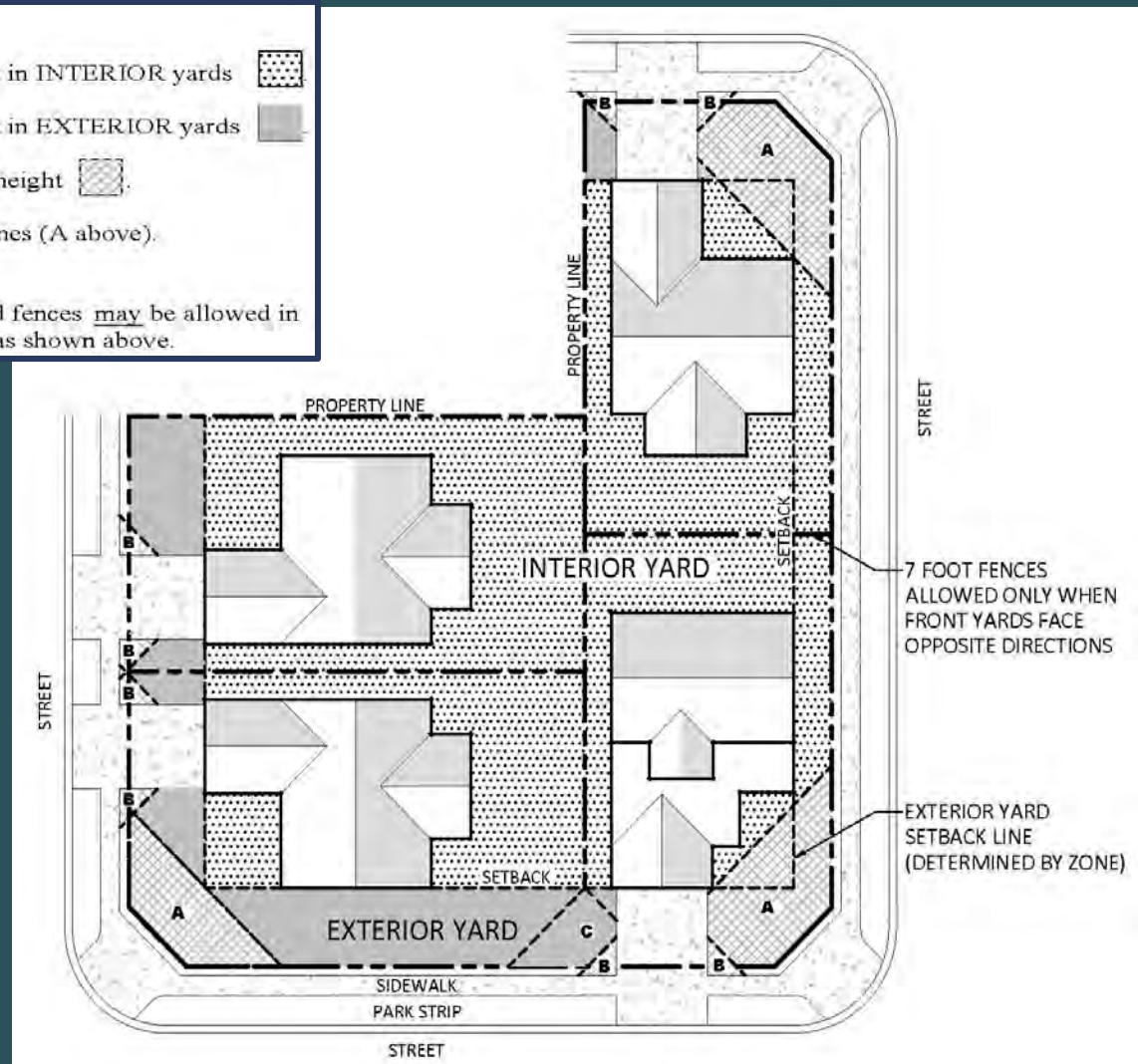
Location	Maximum Height
Within required exterior yards	4 feet [1]
Within a driveway vision triangle	2.5 feet [2]
Within a corner vision triangle	See Section 20.30.040 (Vision Triangles)
All other locations [3]	7 feet [3] <u>[Currently 6 feet]</u>
Corner Lot Exterior Yards [4]	7 feet [4] <u>[Currently 6 feet]</u>

- Notes:**
- [1] Fence height for non-solid fences (wrought iron, chain link, picket, etc., that are mostly transparent) may be increased to a maximum of 6 feet with a Minor Use Permit. **[NEW]**
 - [2] As shown in Figure 20.30-02, a driveway vision triangle is the area on the street side of a line connecting two points, one on the back of sidewalk (or property line, whichever is closer to the street) and one on the side line of any public or private driveway or alley, each point being 10 feet from the point of intersection of the back of sidewalk (or property line, whichever is closer to the street) and the side line of the driveway or alley.
 - [3] In multi-family zones, may be increased to 8 feet with a Minor Use Permit. **[NEW]**
 - [4] Only if corner lot exterior yard doesn't abut the front yard of an adjacent lot or possible adjacent lot.

FIGURE 20.30-2--HEIGHT LIMITS FOR FENCES, WALLS, AND HEDGES

Section 20.30 City of Merced Zoning Ordinance

1. Fences, walls, and hedges may not exceed 7 feet in height in INTERIOR yards 
2. Fences, walls, and hedges may not exceed 4 feet in height in EXTERIOR yards 
3. Fences, walls, and hedges may not exceed 2 1/2 feet in height .
 - a. Within 40 feet from the intersection of street property lines (A above).
 - b. Within 10 feet from driveway aprons (B above).
4. In some cases, with a minor use permit, 4-6 foot non-solid fences may be allowed in corner lot EXTERIOR yards except in areas A, B, and C as shown above.



Chapters 20.32, 20.34, & 20.36



Chapter 20.32—Interface Regulations

- 22) Section 20.32 (Interface Regulations), starting on page 105, would stay mostly the same from the current ordinance, but would change the requirement from a Conditional Use Permit before the Planning Commission to a Site Plan Review Permit before the Site Plan Review Committee (a staff level committee). Are these changes appropriate?

Chapter 20.34—Creek Buffers

- 23) There aren't any provisions in the current ordinance regarding these buffer areas along creeks, although they are required in the General Plan. Are these new requirements appropriate?

Chapter 20.36—Landscaping

- 24) This is an entirely NEW chapter, but is based on existing City requirements (outside of the zoning ordinance) and new provisions in State Law to address drought conditions. Are these new requirements appropriate?

Chapter 20.38—Parking and Loading

- 25) Table 20.38-1 (starting on page 120) proposes quite a few changes to the City's current **parking requirements** for various land uses. A comparison to the current ordinance can be found in Table D1 starting on page 140A. Are these changes appropriate?
- 26) Section 20.38.080 (starting on page 135) includes NEW requirements for **bicycle parking** based on recommendations from the Bicycle Advisory Commission (BAC) and the Zoning Ordinance Focus Group. Unfortunately, the two groups did not agree on what should be required with the Focus Group wanting to only have requirements to match the State's new building "Green" code requirements and the BAC looking for more stringent requirements in order to encourage more bicycle use in the community. (Refer to the annotations in each section to see how the two recommendations differed.) Looking at the proposed requirements, are they too restrictive or appropriate for a community that is trying to become more "bicycle friendly"?

Chapter 20.40—Small Lot Single Family Homes

27) This is a NEW chapter based on the Small Lot Design Guidelines adopted by the City in 2008. Currently, such small lot designs can only occur in Residential Planned Developments. This chapter would also allow them to be approved with a CUP in the R-2, R-IV, and R-OV zones. Are these changes appropriate? Are there other zones where this should be considered?



Chapter 20.44—Special Land Use Regulations

- 28) Chapter 20.44 (starting on page 149) proposes special regulations for several new land uses not addressed in the current ordinance. Are these new regulations appropriate for the following uses:
- a) Section 20.44.020— **Food Trucks in Fixed Locations** (starting on page 150)? Keep in mind that food trucks have become increasingly popular and are increasingly competing with “brick and mortar” restaurants. Also, with internet advertising allowing such trucks to locate in multiple locations over the course of a week, the need for clear regulations on where these trucks can locate and what review process is to be followed is critical.
 - b) Section 20.44.040— **Check Cashing Establishments** (starting on page 152)?
 - c) Section 20.44.050— Community Gardens (starting on page 152)?

Chapter 20.44—Special Land Use Regulations

- 28) Chapter 20.44 (starting on page 149) proposes special regulations for several new land uses not addressed in the current ordinance. Are these new regulations appropriate for the following uses:
- d) Section 20.44.060— **Fraternities and Sororities** (starting on page 153)?
 - e) Section 20.44.080— **Live/Work Units** (starting on page 155)?
 - f) Section 20.44.090— **Recycling Facilities** (starting on page 157)?
 - g) Section 20.44.100— **Outdoor Displays of Merchandise** (starting on page 159)?
 - h) Section 20.44.110— **Photovoltaic Energy Systems** (starting on page 160)?
 - i) Section 20.44.120— **Single Room Occupancy** (starting on page 161)?
 - j) Section 20.44.140— **Wrecking Establishments** (starting on page 162)?

Chapter 20.44—Special Land Use Regulations

- 28) Chapter 20.44 (starting on page 149) proposes special regulations for several new land uses not addressed in the current ordinance. Are these new regulations appropriate for the following uses:
- k) Section 20.44.150— **Emergency Shelters** (starting on page 163)? Recent changes in State law require the City to not only allow emergency shelters as a permitted use in at least one zone but to set forth development standards for such uses as well.
 - l) Section 20.44.160— **Tobacco Sales Prohibited near Schools** (starting on page 164)? In January 2015, the County Department of Environmental Health requested that the Focus Group include provisions that prohibited the sale of tobacco products within 1,000 feet of schools and other youth-oriented facilities. The Focus Group recommended that these provisions be included in the Public Review Draft for Council consideration. Are these new regulations appropriate?

Chapters 20.48 & 20.58

Chapter 20.48—Home Occupations

- 29) Chapter 20.48 (beginning on page 171) proposes to establish two levels of home occupations (i.e. home-based businesses) and establishes levels of review and standards for each. (This is based on suggestions from the Focus Group and City staff’s experience with home occupations that sometimes cause concerns in neighborhoods.) Are these new provisions appropriate?



Chapter 20.58—Wireless Communications Facilities

- 30) Table 20.58-2 (starting on page 207) makes several changes to the existing ordinance in order to encourage more “stealth” facilities (those that look like trees or flagpoles instead of antenna towers), including allowing greater heights for stealth facilities and changing the review process to staff level reviews for most facilities. Are these changes appropriate?



Part 4—Permits & Administration



Part 4—Permits and Administration

- 31) **Table 20.64-1** on page 228 summarizes the role of each of 4 bodies (the Director of Development Services, the Site Plan Review Committee, the Planning Commission, and City Council) in the development process for the various types of actions. Please review this table and indicate if you would recommend any changes in those roles.
- 32) Section 20.68.020 (starting on page 235) outlines the process for a new type of permit—the **Minor Use Permit**. Is this new type of permit necessary and do the proposed procedures seem appropriate?
- 33) Section 20.68.040 (starting on page 241) outlines the process for a new type of permit—**Minor Modifications**. Is this new type of permit necessary and do the proposed procedures seem appropriate?
- 34) Section 20.68.050 (starting on page 242) outlines the process for Site Plan Reviews, which is an existing process that applies only in industrial areas, but now will be expanded for use in many more situations in the proposed DRAFT. Are these changes appropriate?

Table 20.64-1—Review & Decision-Making Authority

Type of Action	Role of Authority			
	Director of Development Services	Site Plan Review Committee	Planning Commission	City Council
Legislative Actions				
Annexations/Rezoning	Recommend		Recommend	Decision
Development Agreements	Recommend	-	Recommend	Decision
General Plan Amendments	Recommend	-	Recommend	Decision
Zoning Ordinance Amendments (Map & Text)	Recommend	-	Recommend	Decision
Permits				
Conditional Use Permit	Recommend	-	Decision	Appeal
Design Review/Historic Preservation Permit	Recommend	-	Decision	Appeal
Minor Use Permit	Decision	-	Appeal	Appeal
Site Plan Review Permit	Recommend	Decision	Appeal	Appeal
Special Project Permit	Recommend	-	Recommend	Decision
Variance	Recommend	-	Decision	-

Table 20.64-1—Review & Decision-Making Authority (Cont.)

Type of Action	Role of Authority			
	Director of Development Services ^[2]	Site Plan Review Committee	Planning Commission	City Council
Other Approvals				
Density Bonus	Recommend	-	Recommend	Decision
Interpretations/Determinations	Decision	-	Appeal	Appeal
Minor Modification	Decision	-	Appeal	Appeal
Reasonable Accommodations	Decision	-	Appeal	Appeal
Site Utilization Plan Revisions (P-D Zone)	Recommend	-	Recommend	Decision
Subdivision Map—Tentative	Recommend		Decision	Appeal
Subdivision Map--Final	Recommend			Decision

Part 4—Permits and Administration

- 35) Section 20.68.040 (starting on page 244) outlines the process for a new type of permit— **Special Project Permits**. Is this new type of permit necessary and do the proposed procedures seem appropriate?
- 36) Section 20.72.080 (on page 256) on **Resubmittals** would limit applicants from submitting the same application within 12 months of previously being denied. The City currently has a similar provision, but it only applies to General Plan Amendments and Zone Changes. Should this be applied to all types of applications?
- 37) The City's **appeal process** for many permits [including Section 20.74.030(B) (on page 257)] is currently defined as 5 or 10 calendar days (including weekends) based on the type of permit. The Draft proposes to change that to business days, excluding holidays and weekends. Is that change appropriate?

Part 5—Glossary (Definitions)

38) Are the definitions in the Glossary clear and understandable? Are there any definitions that should be added?





QUESTIONS?

TABLE 20.08-1 --RESIDENTIAL ZONING DISTRICTS (CONT.)

Notes:

[1] A Conditional Use Permit may be required per Chapter 20.32 (Interface Regulations) regardless of the uses shown in Table 20.08-1.

[2] Corner lots only. See Subsection B below.

[3] Only permitted for rooming and boarding houses as an accessory use. The maximum persons allowed are: R-1, R-R, & R-MH (1 person); R-2 (2 persons); and R-3 and R-4 (no limit).

[4] Permitted only on lots 15,000 sq. ft. or greater with five or more units and at least 3,000 sq. ft. per unit.

[5] For day care home facilities for adults, a Conditional Use Permit would allow up to 12 adults in care.

[6] Permitted only as an ancillary use to serve residents, not to exceed more than 2,500 sq. ft.

[7] Permitted only for onsite retail for agricultural products.

[8] Permitted only when ancillary to a multi-family use and intended to serve residents only. No exterior display or advertising is permitted. Retail use must be located within the same building as residences.

[9] A Minor Use Permit is required for a cottage food industry home occupation.

[10] Agricultural uses are temporary, transitional uses in the City and should not remain on a permanent basis. The appropriate length of time for the use will be defined in the Conditional Use Permit based on the types of crops, surrounding uses, etc. Hog-raising and onsite sale of products, including wholesale, are prohibited. See Chapter 6.04 (Animal Control) for additional regulations.

TABLE 20.10-1--COMMERCIAL ZONING DISTRICTS (CONT.)

Notes:

[1] A Conditional Use Permit may be required per Chapter 20.32 (Interface Regulations) regardless of the uses shown in Table 20.10-1.

[2] Residential use on the ground floor is prohibited unless it is located on the back of the property where it is not visible or approved with a Conditional Use Permit.

[3] Prohibited as a single use. Permitted as part of a residential mixed-use project.

[4] Use shall not exceed 20,000 square feet.

[5] 24 hour operations limited to C-T zone per Chapter 9.08 (Gaming).

[6] Rehabilitation centers for drug, methadone, and alcohol are prohibited. [No change from MMC 20.24.055(B)]

[7] A Conditional Use Permit is required for establishments smaller than 20,000 square feet.

[8] A Conditional Use Permit is required for alcoholic beverage sales for on-site consumption. [No change from MMC 20.22.050(J)]

[9] Permitted only as part of a shopping center or other retail establishment with a minimum of 5,000 square feet of floor area devoted to the sale of groceries. [No change from MMC 20.25.020]

[10] Prohibited in the City Center area between 19th and 16th Streets and O Street and Martin Luther King, Jr. Way, including properties fronting on either side of each of the above streets, except vehicle sales showrooms can be allowed. [Changes MMC 20.24.055(B) to allow vehicle sales showrooms]

TABLE 20.10-1--COMMERCIAL ZONING DISTRICTS (CONT.)

[11] Includes refreshment stands.

[12] Permitted only as an ancillary use to serve employees, not to occupy more than 5,000 square feet.

[13] Conditional Use Permit required unless the use is ancillary to a principal permitted use. For restaurants, Conditional Use Permit is required unless the uses are conducted in and entered from within the building with no outside advertising.

[No change from

MMC 20.20.030(B)

[14] A Site Plan Review Permit is required for used vehicle sales. **[MMC 20.24.040(C) requires a CUP now]**

[15] Temporary warehousing and storage only is allowed per the requirements of Section 20.10.030(D).

[16] Provided that a massage establishment permit has not been revoked at that location within 12 months of the application for a conditional use permit and a massage establishment permit is obtained pursuant to Chapter 5.44. **[NEW]**

[17] Must have valid certificate from State of California as a massage therapist or massage practitioner pursuant to the Massage Therapy Act (Business and Professions Code Section 4600 *et seq.*). **[NEW]**

[18] Prohibited within 1,000 feet of schools and other uses per Sec. 20.44.160, unless building over 20,000 square feet. **[NEW]**

TABLE 20.12-1--INDUSTRIAL ZONING DISTRICTS

Notes:

[1] A Conditional Use Permit may be required per Chapter 20.32 (Interface Regulations) regardless of the uses shown in Table 20.12-1.

[2] Limited to fitness, gymnastics, and other similar recreational sports and health facilities. **[No change from MMC 20.34.040(C)]**

[3] Permitted only as an ancillary showroom use for goods manufactured onsite, not to occupy more than 10 percent of the total building floor area unless a Site Plan Review Permit is obtained for additional floor area. **[City Policy adopted in 1988 required a CUP]**

[4] May be permitted only as an ancillary use to serve employees, not to occupy more than 2,500 square feet with no outside advertising, unless a Conditional Use Permit is obtained. **[Modified MMC 20.34.030 to limit size]**

[5] Limited to fleet operations only. **[Consistent with current City Policy]**

[6] All manufacturing of materials listed in the Section 20.12.020.B is prohibited unless the Planning Commission determines otherwise through a Conditional Use Permit.

TABLE 20.14-1--DOWNTOWN ZONING DISTRICTS

Notes:

[1] A Conditional Use Permit may be required per Chapter 20.32 (Interface Regulations) regardless of the uses shown in Table 20.14-1.

[2] Residential use on the ground floor is prohibited unless it is located on the back of the property where it is not visible or approved with a Conditional Use Permit.

[3] Prohibited as a single use unless approved with a Conditional Use Permit. Permitted as part of a residential mixed-use project.

[4] Prohibited in the City Center area between 19th and 16th Streets and O Street and Martin Luther King, Jr. Way, including properties fronting on either side of each of the above streets.

[5] Rehabilitation centers for drug, methadone, and alcohol are prohibited.

[6] A Conditional Use Permit is required for new and used vehicle sales but only in small showrooms, not large parking lots. **[In C-C district, only used vehicle sales require a CUP currently, but Focus Grp felt all vehicle sales in the Downtown Core should require a CUP.]**

TABLE 20.16-1--URBAN VILLAGE ZONING DISTRICTS

Notes:

[1] Prohibited as a single use unless approved with a Conditional Use Permit. Permitted as part of a residential mixed-use project.

[2] All activities, including the overnight boarding of animals, shall occur indoors.

[3] Must meet minimum density requirements of 10 dwelling units/acre.

TABLE 20.18-1--PUBLIC USE/AGRICULTURAL DISTRICTS

Notes: **[NEW, except where noted below]**

[1] Permitted only as part of a larger park or recreation use.

[2] Permitted only when associated with an agricultural use which constitutes the primary use on the property.

[3] Permitted only when part of a multistory structure that provides on-site public parking area equal to or greater than the square footage of the parcel minus the required setbacks and driveway approaches.

[No change from MMC 20.40.020(B).]

[4] Permitted uses only include outdoor recreational facilities with minor improvements and public stables for riding academies, which is subject to animal density requirement.

[5] Minimum of 55 percent of the parking space are available for use by the public at no charge for a minimum of 4 hours during every 24-hour period; and a maximum of 45 percent of the parking spaces are available for lease to neighboring businesses to meet the parking requirements for those businesses.

[No change from MMC 20.40.020(A).]

[6] Limited to one stand for the display and sale of produce raised on the premises. More than one stand may be allowed upon approval of a Site Plan Review Permit. **[Consistent with MMC 20. _____]**

[7] Conditional use only includes packing facilities of products raised on the premises.

[8] Fast-food restaurants prohibited. **[No change from MMC 20.40.020(B).]**

[9] The use must conform with the regulations in Merced Municipal Code Chapter 6.04 (Animal Control).

[10] Conditional Use Permit is required only for the water storage and reservoir for the agricultural uses; Minor Use Permit is required for all other uses.

[11] Also applies to land zoned A-1-20.