



COMPREHENSIVE ZONING ORDINANCE UPDATE

FOCUS GROUP
MEETING #1—JULY 17, 2013

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Today's Agenda

- Introductions/Meeting Logistics
- Why Do We Need An Update?
- Goals of the Update Process
- Examples of Different Ways to Present Code Requirements
- Overview of the Existing Zoning Code (Part 1)
- Proposed Outline of New Zoning Code

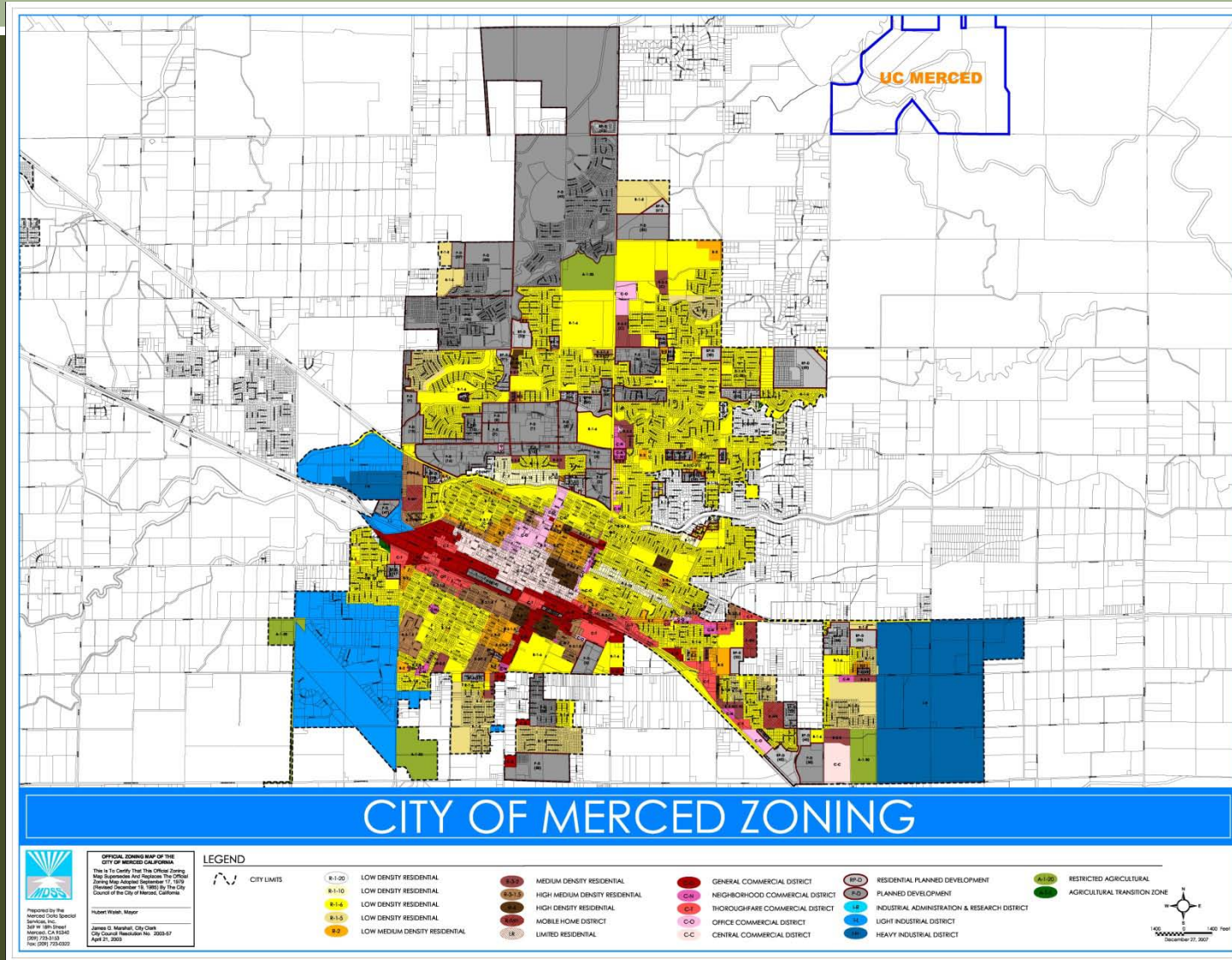


What is the Zoning Code and Why Is It Important?

- 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 your neighborhood and the City looks now and in the future, defining the Community's "Sense of Place"



Merced Zoning Map

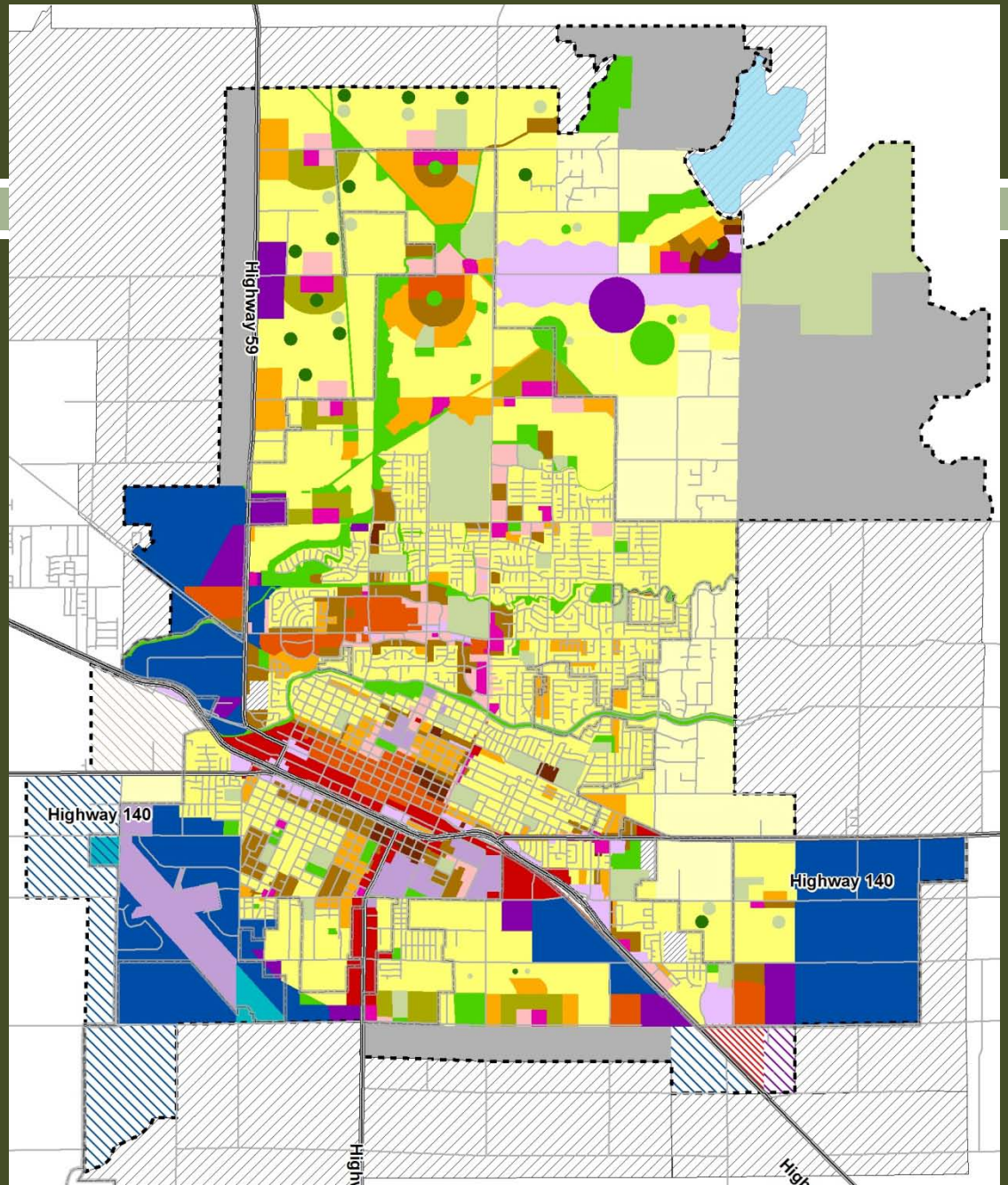


Zoning Vs. the General Plan



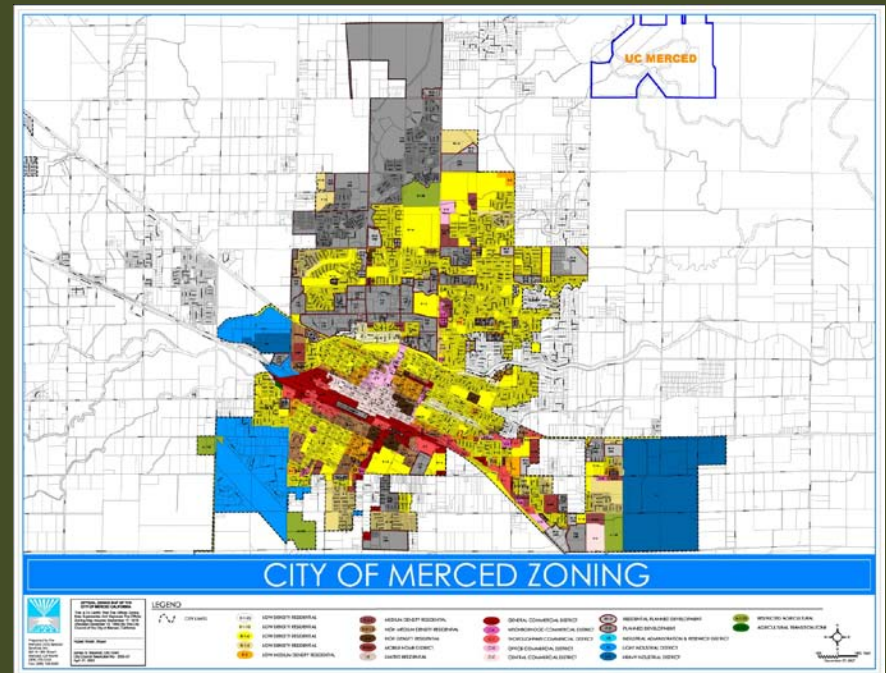
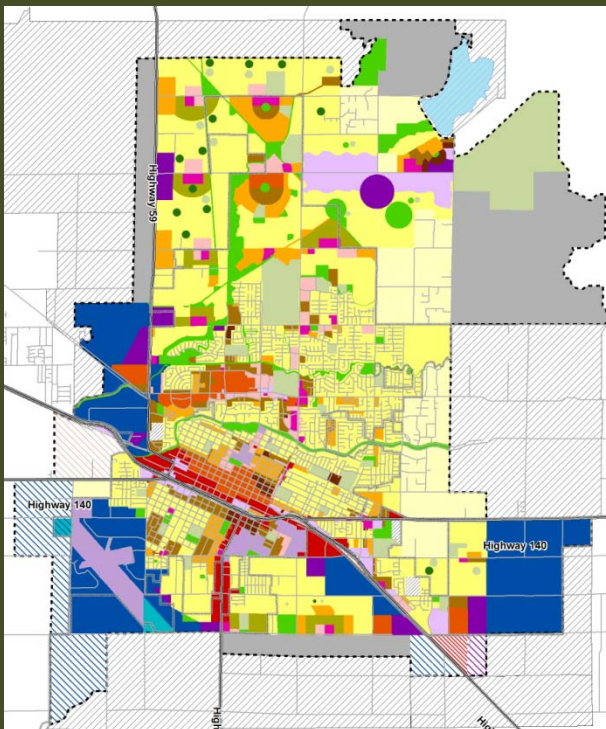
- The General Plan is a set of long-term goals and policies that the community uses to guide development. Although it establishes standards for location and density of land uses, it does not directly regulate land use.
- Zoning, on the other hand, is regulatory. Under the zoning ordinance, development must comply with specific, enforceable standards (minimum lot size, etc.). Zoning is applied lot-by-lot, whereas the General Plan has a community wide perspective.
- However, zoning regulations must be consistent with the General Plan.

Merced Vision 2030 General Plan



Interesting Fact about Merced...

5 General Plans (1959, 1968, 1981, 1997, 2012) Vs. 1 Zoning Code (1964)



Why Do 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.

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)
- The content of most zones will remain the same but will just be presented differently although “clean-up” of outdated concepts will be proposed

Streamlining The Development Process



Current Code Requirements



- All current City zones have lists of land uses which are either:
 - “Principally Permitted”—Can go in with a business license or a building permit
 - “Conditionally Permitted”—Requires a Conditional Use Permit (CUP) to be granted by the Planning Commission after a public hearing
 - Some zones have land uses in one of the above categories that may no longer make sense
- “Planned Development” (P-D) zones generally require most new uses to acquire a CUP before development

Do These Still Make Sense?



- In the Central Commercial (C-C) zone, which covers most of the Downtown Core:
 - “New car sales” are principally permitted while “used car sales” are conditional uses (requires a CUP).
 - “Restaurants” are principally-permitted uses (even “fast-food restaurants”) but “sidewalk cafes” require a CUP.
 - A “bakery” is a principally permitted use but a “commercial bakery plant” is a CUP.
- “Animal Hospitals” cannot locate within 500 feet of any residential zone, motels/hotels, or restaurants.

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.
- Amending the C-C zone to allow residential uses without a CUP would fit in better with the City's long-term goals.

Example—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, and,
 - ▣ A Conditional Use Permit, which just goes to the Planning Commission, requires a greater level of detail, and can be done at the same time or months or years later.
- A streamlined process could eliminate the CUP requirement and allow for staff approval of the design details.

Example—Industrial Projects



- All “principally-permitted” uses in Industrial zones 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 3-4 weeks
 - ▣ Site Plan Reviews can be appealed to the Planning Commission and the City Council
- This process is already “streamlined” and staff would like to expand its use to other projects.

Current Zoning Code vs. Others

Text

Text

*More
Text*

How High Can My Fence Be?

2
Pages
of
Text

VS.

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](#)

(Ord. 1637 § 1, 1986; Ord. 1424 § 1, 1981; Ord. 1172 § 1, 1976; Ord. 920, 1968; Ord. 875, 1966; Ord. 824 § 12.03, 1964)

How High Can My Fence Be?

EXCERPT:

20.62.040 - Projections into required yards.

Certain architectural features may project into required yards as follows:

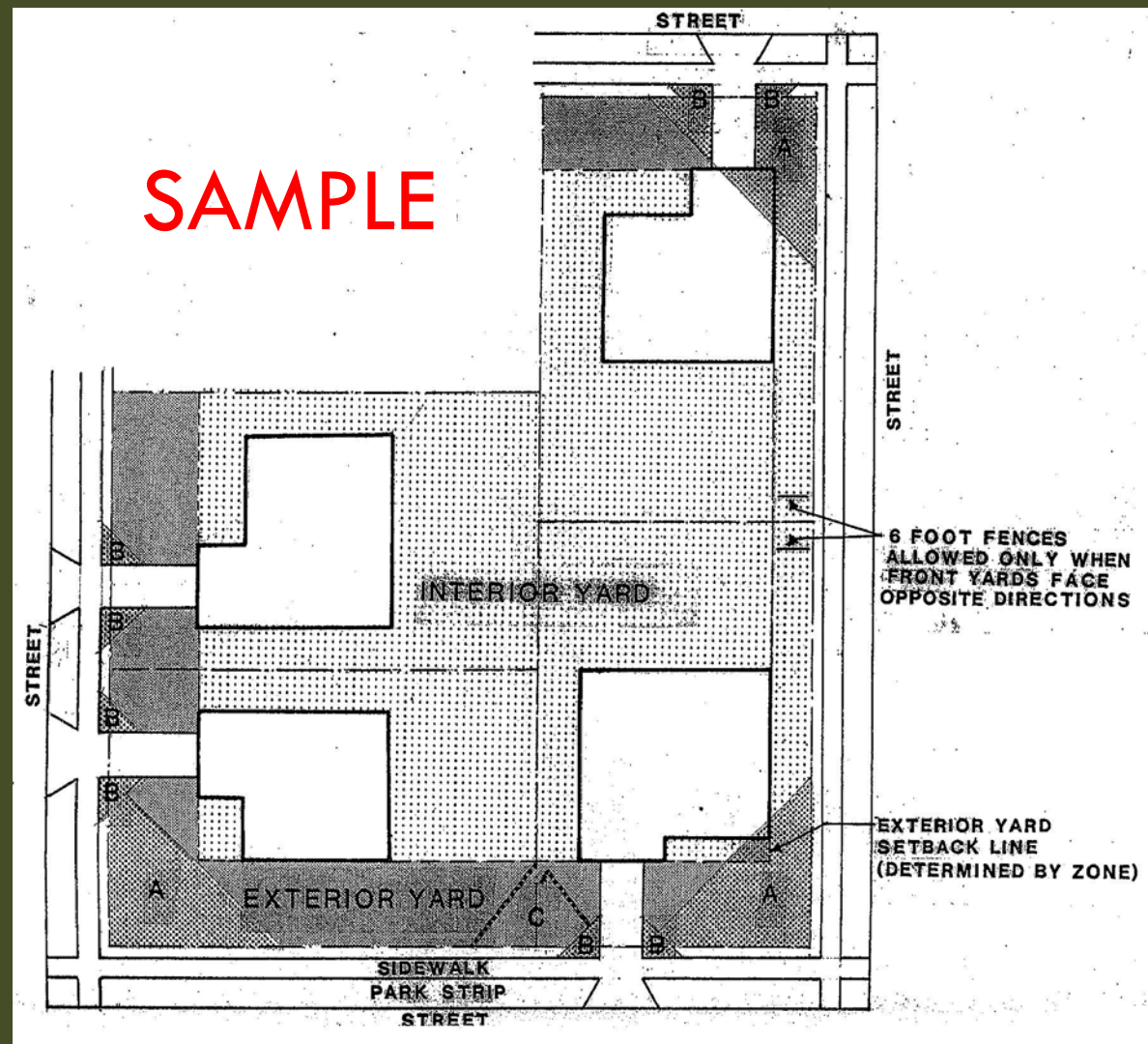
- E. Fences, walls and hedges if not exceeding six (6) feet in height may be located in any required interior yard. Fences, walls and hedges in exterior yards shall not exceed a height of two and one-half (2 ½) feet in the following locations:
 1. The area on the street side of a line connecting two (2) points on the exterior property lines each forty (40) feet from the point of intersection of the property lines extended;...

How High Can My Fence Be?

VS.

1

Diagram



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. Simple Land Use Tables (2 Examples)

Neighborhood Center (NC) Standards

Table 4.3: Neighborhood Center (NC) Zone Allowed Land Uses and Permit Requirements

Land Use Type ¹	Permit Required	Specific Use Regulations	Land Use Type ¹	Permit Required	Specific Use Regulations
Recreation, Education & Public Assembly					
Commercial recreation facility: Indoor			Residential		
< 1500 sf	MUP		Dwelling: Single family	P	
Library, museum	MUP		Home occupation		
Meeting facility, public or private	P		< 300 sf and 2 or fewer employees	P	
Park, playground	P		> 300 sf and 3 or fewer employees	P	
School, public or private	MUP		> 300 sf and 3 or more employees	P	
Studio: art, dance, martial arts, music, etc.			Live/work unit	P	
< 1500 sf	P		Mixed use project residential component	P	
> 1500 sf	MUP		Dwelling: Multi-Family-Rowhouse	MUP	
Theater, cinema, or performing arts			Dwelling: Multi-Family-Duplex	P	
< 5000 sf	MUP		Dwelling: Multi-Family-Triplex	P	
			Dwelling: Multi-Family-Fourplex	P	
			Ancillary Building	P	
			Residential Care, 7 or more clients	UP	
			Residential Care, 6 or fewer clients	MUP	
			Retail		
			Artisan Shop	P	
			Bar, tavern, night club, except with any of the following features		
			Operating between 9 pm and 7 am	UP	
			General retail, except with any of the following features:	P	
			Alcoholic beverage sales	UP	
			On-site production of items sold	MUP	
			Operating between 9pm and 7am	UP	
			Neighborhood market < 10,000 sf	P	
			Restaurant, cafe, coffee shop	P	

Key	
P	Permitted Use
MUP	Minor Use Permit Required - staff review only
UP	Use Permit Required

Table 10-1-2559.1. Permitted Building Function

	NG	DR	DE	DC	UC	RD	Use-Specific Requirements
Residential and Lodging							
Community Care Facility—6 or fewer Occupants	P [1]	P [1]	P [1]	P [1]	P [1]	P [1]	
Family Day Care Home, Small	P [1]	P [1]	P [1]	P [1]	P [1]	P [1]	
Family Day Care Home, Large	AUP [1]	AUP [1]	AUP [1]	AUP [1]	AUP [1]	AUP [1]	Article 6, Division 13
Home Occupation	P [1]	P [1]	P [1]	P [1]	P [1]	P [1]	Article 6, Division 11
Home Occupation—Music Lessons	AUP [1]	AUP [1]	AUP [1]	AUP [1]	AUP [1]	AUP [1]	Article 6, Division 11
Hotel/Motel—Extended Stay	—	CUP	CUP	—	AUP	CUP	
Hotel/Motel—Limited Stay	—	CUP	CUP	—	P	CUP	
Mixed-Use Development	—	AUP	AUP	AUP	AUP	AUP	Article 25.5, Division 10
Residential Development	AUP	AUP	AUP	—	—	—	
Recreation, Education and Assembly							
Commercial Recreation—Indoor	—	CUP	CUP	CUP	CUP	AUP	
Commercial Recreation—Outdoor	—	—	—	—	—	CUP	
Cultural Use—Assembly	—	CUP	CUP	CUP	AUP	CUP	
Cultural Use—Non-Assembly	—	CUP	AUP	AUP	AUP	AUP	
Health/Fitness Facility	—	P	P	CUP	P	P	
Meeting Facility	—	AUP	AUP	CUP	CUP	CUP	
Park or Recreational Facility	P	P	P	P	P	P	
Personal or Physical Arts Studio	—	P	P	CUP	P	AUP	
School	—	P	P	CUP	CUP	CUP	
Retail Sales and Dining							
Alcoholic Beverage Sales	—	P/CUP	P/CUP	P/CUP	P/CUP	P/CUP	10-1-1116
Animal Sales and Services—No Boarding	—	P	P	AUP	P	P	
Drive-Through Establishment	—	CUP	—	—	—	CUP	10-1-1608, 10-1-1609
Food Specialty Store	—	P	P	P	P	P	
General Retail	—	P	P	P	P	P	
Market, Convenience	—	P	AUP	P	P	AUP	
Market, Neighborhood	—	P	P	P	P	P	
Market, Super	—	CUP	CUP	—	—	CUP	

How Much Parking Do I Need?

12
Pages
of Text

vs.

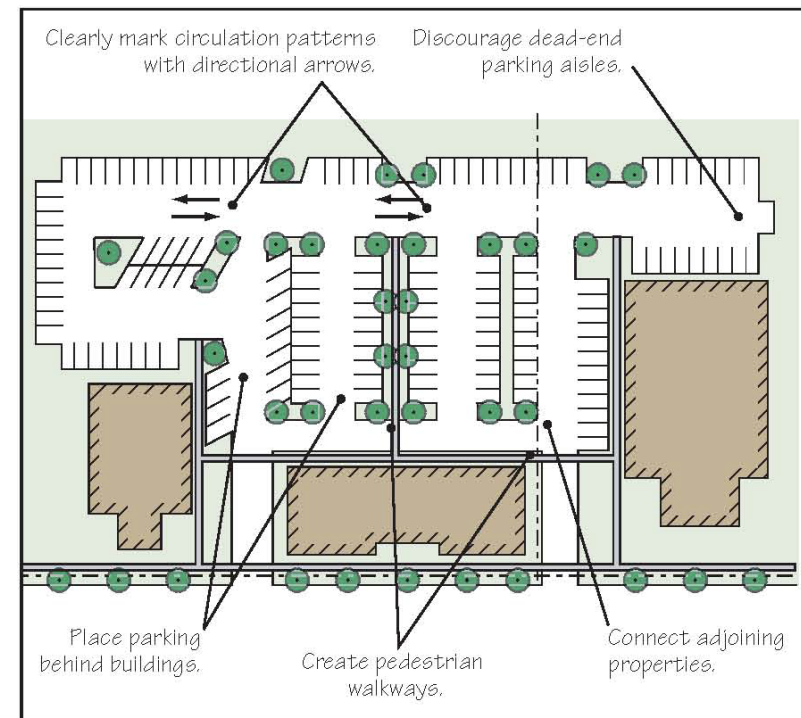
Current Code

CHAPTER 20.58 OFF STREET PARKING		CHAPTER 20.58 OFF STREET PARKING	
<p>Sections:</p> <p>20.58.010 Required.</p> <p>20.58.020 Number of spaces required.</p> <p>20.58.030 Residential uses—Dwellings.</p> <p>20.58.035 Residential uses—Condominiums.</p> <p>20.58.040 Residential uses—Roominghouses and clubs.</p> <p>20.58.050 Residential uses—Hotels.</p> <p>20.58.060 Residential uses—Motels.</p> <p>20.58.070 Commercial uses—Retail food stores.</p> <p>20.58.080 Commercial uses—Retail stores (except food).</p> <p>20.58.090 Commercial uses—Business and professional, banks and post offices.</p> <p>20.58.100 Commercial uses—Furniture and appliance stores.</p> <p>20.58.110 Commercial uses—Personal services.</p> <p>20.58.120 Commercial uses—Motor vehicle, machinery sales repair.</p> <p>20.58.130 Commercial uses—Mortuaries and funeral homes.</p> <p>20.58.140 Commercial uses—Food and beverage consumption establishments.</p> <p>20.58.150 Industrial uses—Warehouses, storage and communication equipment buildings.</p> <p>20.58.160 Industrial uses—Manufacturing plant—Light.</p> <p>20.58.170 Industrial uses—Manufacturing plant—Heavy.</p> <p>20.58.180 Health uses—Dental and medical clinics and optometrists' offices.</p> <p>20.58.190 Health uses—Homes for the convalescent, aged, and children.</p> <p>20.58.200 Health uses—Sanitariums.</p> <p>20.58.210 Health uses—Hospitals.</p> <p>20.58.220 Places of assembly—Auditoriums.</p> <p>20.58.230 Places of assembly—Arenas, gymnasiums, and rinks.</p> <p>20.58.240 Places of assembly—Theaters.</p> <p>20.58.250 Places of assembly—Bowling alleys.</p> <p>20.58.260 Places of assembly—Dance halls.</p> <p>20.58.270 Places of assembly—Churches.</p> <p>20.58.290 Places of assembly—Clubs and lodges without sleeping facilities.</p> <p>20.58.300 Places of assembly—Transportation terminals.</p> <p>20.58.310 Education or public uses—Libraries.</p> <p>20.58.320 Education or public uses—Library stations and museums.</p> <p>20.58.330 Education or public uses—Schools.</p> <p>20.58.340 Uses not specified.</p> <p>20.58.350 Exemptions.</p> <p>20.58.360 Size and access.</p> <p>20.58.370 Access drive.</p> <p>20.58.380 Location.</p> <p>20.58.385 Mixed occupancies.</p> <p>20.58.390 Parking lot landscape.</p> <p>20.58.400 Common parking facilities.</p> <p>20.58.405 H/V/I use.</p> <p>20.58.405 Excess parking.</p> <p>20.58.410 Units of measurement.</p>	<p>20.58.130 Commercial Uses – Mortuaries and Funeral Homes.</p> <p>The off-street parking space requirement, for mortuaries and funeral homes, official vehicles and other vehicles, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.135 Commercial Uses – Retail Food Stores.</p> <p>The off-street parking space requirement, for retail food stores, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.140 Commercial Uses – Retail Stores (except food).</p> <p>The off-street parking space requirement, for retail stores (except food), shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.150 Commercial Uses – Business and Professional, Banks and Post Offices.</p> <p>The off-street parking space requirement, for business and professional, banks and post offices, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.160 Commercial Uses – Furniture and Appliance Stores.</p> <p>The off-street parking space requirement, for furniture and appliance stores, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.170 Commercial Uses – Personal Services.</p> <p>The off-street parking space requirement, for personal services, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.180 Commercial Uses – Motor Vehicle, Machinery Sales Repair.</p> <p>The off-street parking space requirement, for motor vehicle, machinery sales repair, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.190 Commercial Uses – Mortuaries and Funeral Homes.</p> <p>The off-street parking space requirement, for mortuaries and funeral homes, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.200 Commercial Uses – Food and Beverage Consumption Establishments.</p> <p>The off-street parking space requirement, for food and beverage consumption establishments, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.210 Commercial Uses – Warehouses, Storage and Communication Equipment Buildings.</p> <p>The off-street parking space requirement, for warehouses, storage and communication equipment buildings, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.220 Commercial Uses – Manufacturing Plant—Light.</p> <p>The off-street parking space requirement, for manufacturing plant—light, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.230 Commercial Uses – Manufacturing Plant—Heavy.</p> <p>The off-street parking space requirement, for manufacturing plant—heavy, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.240 Commercial Uses – Dental and Medical Clinics and Optometrists' Offices.</p> <p>The off-street parking space requirement, for dental and medical clinics and optometrists' offices, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.250 Commercial Uses – Homes for the Convalescent, Aged, and Children.</p> <p>The off-street parking space requirement, for homes for the convalescent, aged, and children, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.260 Commercial Uses – Sanitariums.</p> <p>The off-street parking space requirement, for sanitariums, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.270 Commercial Uses – Hospitals.</p> <p>The off-street parking space requirement, for hospitals, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.280 Commercial Uses – Auditoriums.</p> <p>The off-street parking space requirement, for auditoriums, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.290 Commercial Uses – Arenas, Gymnasiums, and Rinks.</p> <p>The off-street parking space requirement, for arenas, gymnasiums, and rinks, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.300 Commercial Uses – Theaters.</p> <p>The off-street parking space requirement, for theaters, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.310 Commercial Uses – Bowling Alleys.</p> <p>The off-street parking space requirement, for bowling alleys, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.320 Commercial Uses – Dance Halls.</p> <p>The off-street parking space requirement, for dance halls, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.330 Commercial Uses – Churches.</p> <p>The off-street parking space requirement, for churches, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.340 Commercial Uses – Clubs and Lodges without Sleeping Facilities.</p> <p>The off-street parking space requirement, for clubs and lodges without sleeping facilities, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.350 Commercial Uses – Transportation Terminals.</p> <p>The off-street parking space requirement, for transportation terminals, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.360 Commercial Uses – Libraries.</p> <p>The off-street parking space requirement, for libraries, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.370 Commercial Uses – Library Stations and Museums.</p> <p>The off-street parking space requirement, for library stations and museums, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.380 Commercial Uses – Schools.</p> <p>The off-street parking space requirement, for schools, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.390 Commercial Uses – Excess Parking.</p> <p>The off-street parking space requirement, for excess parking, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.400 Commercial Uses – Common Parking Facilities.</p> <p>The off-street parking space requirement, for common parking facilities, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.405 Commercial Uses – H/V/I Use.</p> <p>The off-street parking space requirement, for H/V/I use, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.410 Commercial Uses – Units of Measurement.</p> <p>The off-street parking space requirement, for units of measurement, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p>	<p>20.58.310 Education or Public Uses – Library Stations and Museums.</p> <p>The off-street parking space requirement, for library stations and museums, is one for each five hundred (500) square feet of floor area.</p> <p>20.58.320 Education or Public Uses – Schools.</p> <p>The off-street parking space requirement, for schools, is one for each employee.</p> <p>20.58.330 Uses Not Specified.</p> <p>Where the off-street parking requirements for a use are not specifically defined in this chapter, the minimum requirements for such use shall be determined by the planning commission by resolution, which resolution shall set forth the reasons upon which the decision is based. The determination shall be based upon the requirements for the most comparable use specified in this chapter. The determination as set forth in the resolution shall not become effective until approved by the city council.</p> <p>20.58.400 Change in Use.</p> <p>Whenever in any building there is a change in use, or increase in floor area, or in the number of employees or other unit of measurement specified in this chapter to indicate the number of employees or other unit of measurement, the off-street parking space requirement shall be increased by ten percent in the off-street parking space requirement for use or on the basis of the other unit of measurement, whichever results in an increase of the off-street parking space requirement. The effect of this chapter shall be retroactive to the date of the change in use.</p> <p>20.58.410 Joint Use.</p> <p>Where a building or other structure is used for two or more purposes, the off-street parking space requirement shall be based upon the total floor area of the building or other structure, and shall be based upon the requirements for the most comparable use specified in this chapter.</p> <p>20.58.420 Excess Parking.</p> <p>Where a building or other structure is used for two or more purposes, the off-street parking space requirement shall be based upon the total floor area of the building or other structure, and shall be based upon the requirements for the most comparable use specified in this chapter.</p> <p>20.58.430 Common Parking Facilities.</p> <p>Where a building or other structure is used for two or more purposes, the off-street parking space requirement shall be based upon the total floor area of the building or other structure, and shall be based upon the requirements for the most comparable use specified in this chapter.</p> <p>20.58.440 H/V/I Use.</p> <p>Where a building or other structure is used for two or more purposes, the off-street parking space requirement shall be based upon the total floor area of the building or other structure, and shall be based upon the requirements for the most comparable use specified in this chapter.</p> <p>20.58.450 Units of Measurement.</p> <p>Where a building or other structure is used for two or more purposes, the off-street parking space requirement shall be based upon the total floor area of the building or other structure, and shall be based upon the requirements for the most comparable use specified in this chapter.</p>	<p>20.58.130 Commercial Uses – Mortuaries and Funeral Homes.</p> <p>The off-street parking space requirement, for mortuaries and funeral homes, official vehicles and other vehicles, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.135 Commercial Uses – Retail Food Stores.</p> <p>The off-street parking space requirement, for retail food stores, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.140 Commercial Uses – Retail Stores (except food).</p> <p>The off-street parking space requirement, for retail stores (except food), shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.150 Commercial Uses – Business and Professional, Banks and Post Offices.</p> <p>The off-street parking space requirement, for business and professional, banks and post offices, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.160 Commercial Uses – Furniture and Appliance Stores.</p> <p>The off-street parking space requirement, for furniture and appliance stores, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.170 Commercial Uses – Personal Services.</p> <p>The off-street parking space requirement, for personal services, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.180 Commercial Uses – Motor Vehicle, Machinery Sales Repair.</p> <p>The off-street parking space requirement, for motor vehicle, machinery sales repair, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.190 Commercial Uses – Mortuaries and Funeral Homes.</p> <p>The off-street parking space requirement, for mortuaries and funeral homes, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.200 Commercial Uses – Food and Beverage Consumption Establishments.</p> <p>The off-street parking space requirement, for food and beverage consumption establishments, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.210 Commercial Uses – Warehouses, Storage and Communication Equipment Buildings.</p> <p>The off-street parking space requirement, for warehouses, storage and communication equipment buildings, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.220 Commercial Uses – Manufacturing Plant—Light.</p> <p>The off-street parking space requirement, for manufacturing plant—light, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.230 Commercial Uses – Manufacturing Plant—Heavy.</p> <p>The off-street parking space requirement, for manufacturing plant—heavy, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.240 Commercial Uses – Dental and Medical Clinics and Optometrists' Offices.</p> <p>The off-street parking space requirement, for dental and medical clinics and optometrists' offices, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.250 Commercial Uses – Homes for the Convalescent, Aged, and Children.</p> <p>The off-street parking space requirement, for homes for the convalescent, aged, and children, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.260 Commercial Uses – Sanitariums.</p> <p>The off-street parking space requirement, for sanitariums, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.270 Commercial Uses – Hospitals.</p> <p>The off-street parking space requirement, for hospitals, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.280 Commercial Uses – Auditoriums.</p> <p>The off-street parking space requirement, for auditoriums, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.290 Commercial Uses – Arenas, Gymnasiums, and Rinks.</p> <p>The off-street parking space requirement, for arenas, gymnasiums, and rinks, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.300 Commercial Uses – Theaters.</p> <p>The off-street parking space requirement, for theaters, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.310 Commercial Uses – Bowling Alleys.</p> <p>The off-street parking space requirement, for bowling alleys, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.320 Commercial Uses – Dance Halls.</p> <p>The off-street parking space requirement, for dance halls, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.330 Commercial Uses – Churches.</p> <p>The off-street parking space requirement, for churches, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.340 Commercial Uses – Clubs and Lodges without Sleeping Facilities.</p> <p>The off-street parking space requirement, for clubs and lodges without sleeping facilities, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.350 Commercial Uses – Transportation Terminals.</p> <p>The off-street parking space requirement, for transportation terminals, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.360 Commercial Uses – Libraries.</p> <p>The off-street parking space requirement, for libraries, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.370 Commercial Uses – Library Stations and Museums.</p> <p>The off-street parking space requirement, for library stations and museums, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.380 Commercial Uses – Schools.</p> <p>The off-street parking space requirement, for schools, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.390 Commercial Uses – Excess Parking.</p> <p>The off-street parking space requirement, for excess parking, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.400 Commercial Uses – Common Parking Facilities.</p> <p>The off-street parking space requirement, for common parking facilities, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.405 Commercial Uses – H/V/I Use.</p> <p>The off-street parking space requirement, for H/V/I use, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p> <p>20.58.410 Commercial Uses – Units of Measurement.</p> <p>The off-street parking space requirement, for units of measurement, shall be as follows:</p> <p>for each five seats in for each thirty-five (35)</p>

VS. Simple Parking Table with Diagram

Table 4-4
Parking Requirements by Land Use

Land Use Type: Service Uses	Vehicle Spaces Required
Banks and financial services	One space for each 300 sq. ft. of gross floor area.
Bed and breakfast establishment	One space for each guest room, plus one space for resident manager.
Copy and reproduction centers	One space for each 400 sq. ft. of gross floor area
Consumer products —repair and maintenance	One space for each 300 sq. ft. of gross floor area
Equipment rental	One space for each 300 sq. ft. of floor area, plus one space for each 1,000 sq. ft. of outdoor use area.
Hotels and motels	One space for each guest room, plus one space for each two employees on the largest shift, plus required spaces for accessory uses.
Medical services, clinics, medical/dental offices	One space for each 300 sq. ft. of gross floor area, plus one space for each employee/staff member.
Extended care (convalescent hospitals, nursing homes, and residential care homes)	One space for each four beds the facility is licensed to accommodate
Hospitals	One space for each patient bed the facility is licensed to accommodate, plus required spaces for ancillary uses as determined by the City Planner.
Medical/dental labs	One space for each 300 sq. ft. of gross floor area.
Offices, administrative, corporate	One space for each 300 sq. ft. of gross floor area.
Pet grooming	One space for each 400 sq. ft. of gross floor area.
Personal services: Barber/beauty shops (and other personal services)	One space for each 300 sq. ft. of gross floor area.
Dry cleaning pick-up facilities	One space for each 400 sq. ft. of activity area, plus one space for each 1,000 sq. ft. of storage area.
Laundromats	One space for each 300 sq. ft. of gross floor area.
Service stations	One space for each 300 sq. ft. of gross floor area; plus three spaces for each service bay, plus additional spaces for food service or convenience market.
Storage, personal storage facilities	Four spaces for manager office.
Vehicle repair and maintenance/repair garage	Four spaces for each service bay, plus adequate queuing lanes for each bay, plus one space for each two employees on the largest shift.
Full-service vehicle washing	4 spaces, plus 1 spaces for each wash lane for drying area, plus queuing area for vehicles ahead of each lane.
Vacation Rental	One space per bedroom.
Veterinary clinics and hospitals	One space for each 400 sq. ft. of gross floor area, plus one space for each 800 sq. ft. of boarding area.



Parking Design Guidelines

Figure 4-4

Examples—Updated Codes

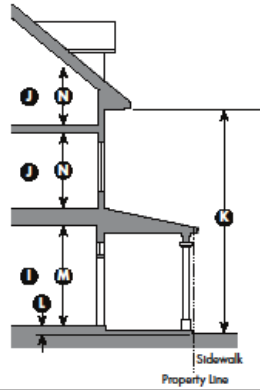
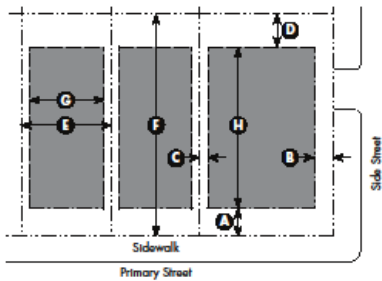
Tables

Diagrams

Illustrations

EXAMPLES—Development Standards

Neighborhood Center (NC) Standards



Key
 — Property Line — Setback Line
 — Build-to Line (BTL) ■ Building Area

Building Placement

Setback (Distance from Property Line)

Front	0' min., 12' max.	A
Side Street	0' min., 8' max.	B
Side	4'	C
Rear		
Adjacent to NG or Resid. Zone		
Undertwo stories	8'	D
2 stories or more	12'	D
Adjacent to any other Zone	5'	D

Building Form

Lot Width	75' max.	E
Lot Depth	150' max.	F
Building Width	50' max.	G
Building Depth	75' max.	H
Distance between buildings on same lot	12' min.	

Notes

All floors must have a primary ground-floor entrance which faces the primary or side street.
 Loading docks, overhead doors, and other service entries are prohibited on street-facing façades.

Use

Ground Floor	Residential, Service, Retail, or Recreation, Education & Public Assembly* I
Upper Floor(s)	Residential or Service* J

*See Table 4.3 for specific uses.

Height

Building Min.	16' *	K
Building Max.	2.5 stories and 30' *	K
Ancillary Building Max.	2 stories and 25' *	
Finish Ground Floor Level		
Residential	18" min.	L
Commercial	0" min.	L
First Floor Ceiling Height	10' min. clear	M
Upper Floor(s) Ceiling Height	8' min. clear	N

*All heights measured to eaves or base of parapet.

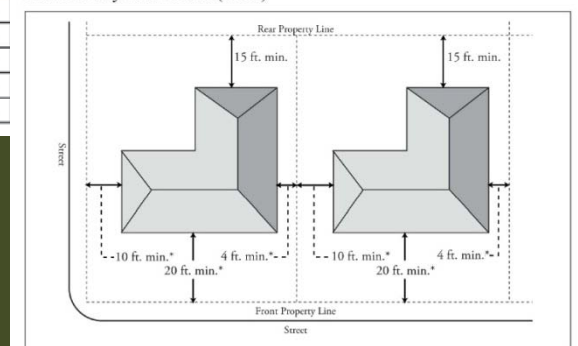
Notes

Mansard roof forms are not allowed.

Table 10-1-2556.1. Building Placement and Form

	Neighborhood General (NG)		Downtown Corridor (DR)		Downtown Edge (DE)		Downtown Center (DC)		Urban Core (UC)		Retail District (RD)	
	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max	Min	Max
Building Setbacks [1]												
A Front [2]	5	20	0	10	0	5	0	0	0	0	0	—
B Side (corner site)	5	12	0	12	0	12[3]	—	0	0	12	0	—
C Side (interior site)	5	—	0	—	0	—	0	—	0	—	0	—
D Rear (primary structure) [4]	15	—	15	—	10	—	5	—	5	—	10	—
(primary structure fronting alley)	5	—	5	—	5	—	0	—	0	—	5	—
(accessory structure)	5	—	5	—	5	—	5	—	5	—	5	—
(accessory structure fronting alley)	0	—	0	—	0	—	0	—	0	—	0	—
Height and Encroachment												
E Height (primary structure in stories)	—	3	—	4	2	5 [5]	—	2	2	7 [6]	—	3
(primary structure in feet)	—	35	—	55	—	65	—	35	—	85	—	35
(accessory structure in feet)	—	14	—	14	—	14	—	14	—	14	—	14
F Floor-to-Floor Height (ground floor)	—	12	12	18	12	18	18	24	12	18	—	18
(upper floor)	—	12	—	12	—	12	—	12	—	12	—	12
G Encroachments	—	8	—	4	—	4	—	0	—	4	—	4
Parking Setbacks [7]												
H Front	20	—										
I Side street	5	—										
J Side interior	0	—										
K Rear (fronting parcel) (fronting alley)	5	—										
	0	—										

Low Density Residential (LDR)



EXAMPLES—Diagrams & Illustrations

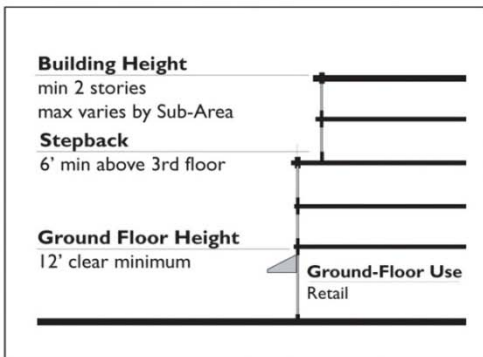


Figure 5-8: Height and Orientation

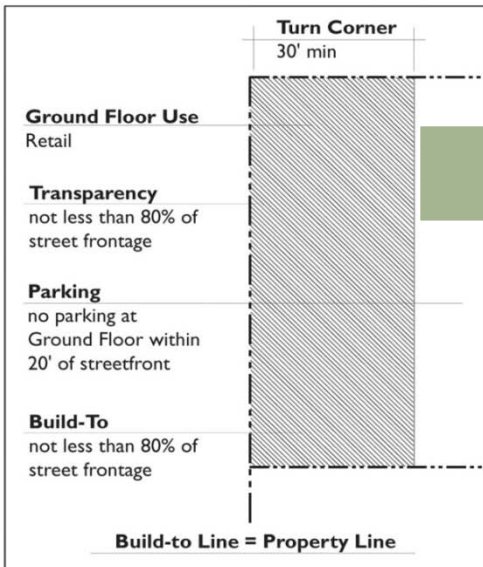
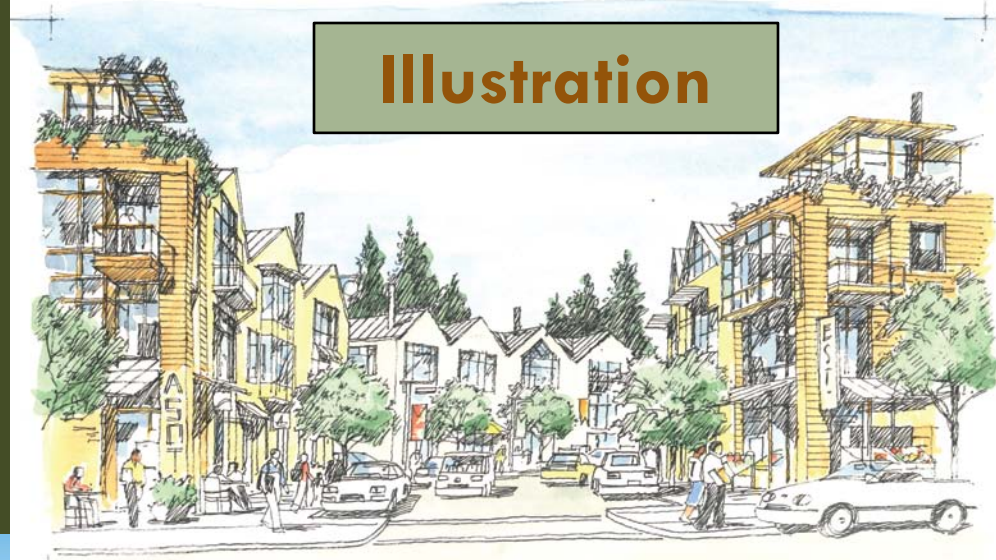
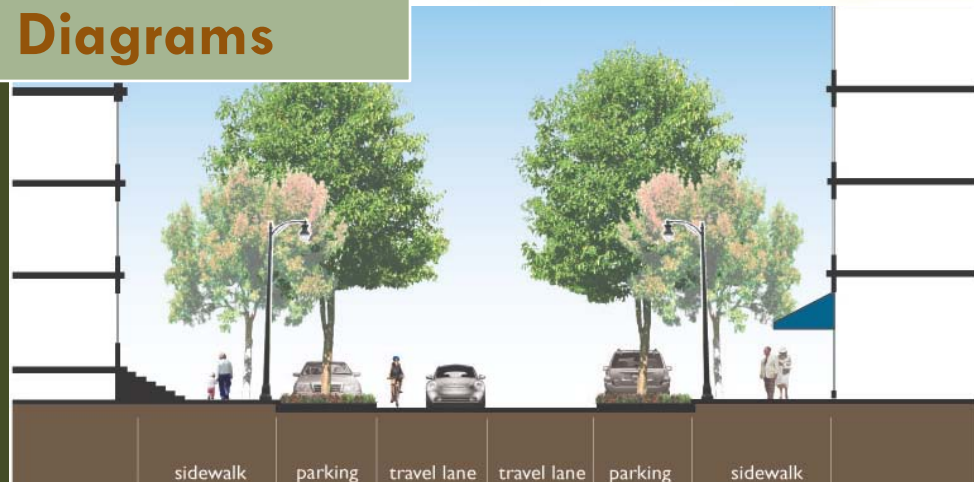


Figure 5-9: Building Placement



Diagrams



EXAMPLES—Tables & Diagrams

DIVISION 5 BUILDING TYPES

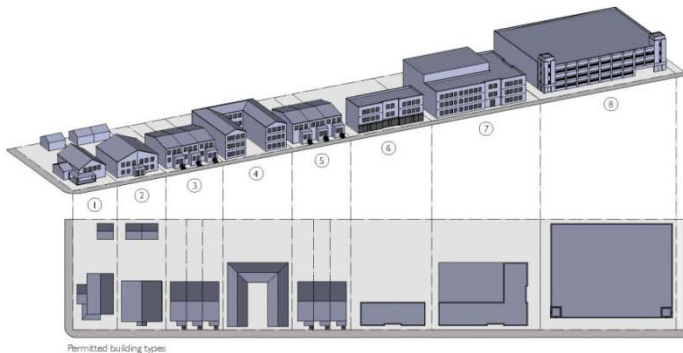
10-I-2560 Purpose and General Provisions

- A. **Purpose.** This section identifies permitted building types for each district in Downtown Burbank and establishes design standards that apply to each building type.
- B. **Building Types Defined.** Building types refer to the particular kinds of structures commonly found in urbanized settings. Building types are defined primarily by their form (mass, scale and design) with building function being of secondary importance.
- C. **Graphics.** This division includes graphics that illustrate each building type. These graphics are provided for illustrative purposes and are not meant to show the only possible configuration for a given building type.
- D. **Allowable Building Types by District.** Building types permitted within each district shall be as shown in Table 10-I-2560.I. The allowed height for each building varies by district, as specified in Section 10-I-2556.

Table 10-I-2560.I Permitted Building Types

	Neighborhood General (NG)	Downtown Corridor (DR)	Downtown Edge (DE)	Downtown Center (DC)	Urban Core (UC)	Retail District (RD)
1 Detached Home	P	-	-	-	-	-
2 Duplex	P	-	-	-	-	-
3 Townhouse	P	P	-	-	-	-
4 Apartment	P	P	P	-	-	-
5 Live/Work	-	P*	P*	-	P*	-
6 Commercial	-	P	P	P	P	P
7 Liner	-	-	P	-	P	P
8 Parking Structure	-	-	P	-	P	P

*Permitted where combined with the Live/Work Overlay.

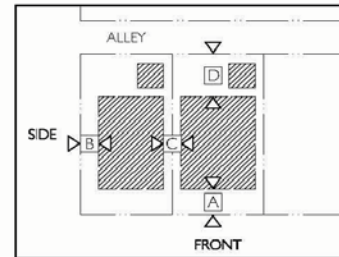


Permitted building types.

BUILDING PLACEMENT

Setbacks

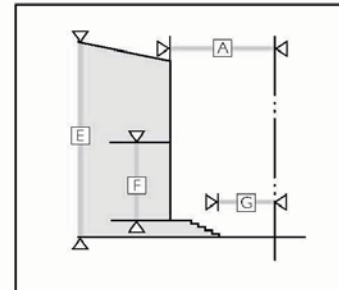
- A Front
- B Side corner lot
- C Side interior lot
- D Rear



HEIGHT & ENCROACHMENT

Height

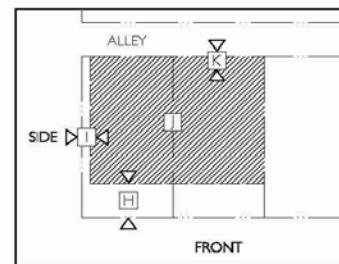
- E Building height
- F Floor-to-floor height
- G Encroachments - minimum distance between encroaching feature and property line



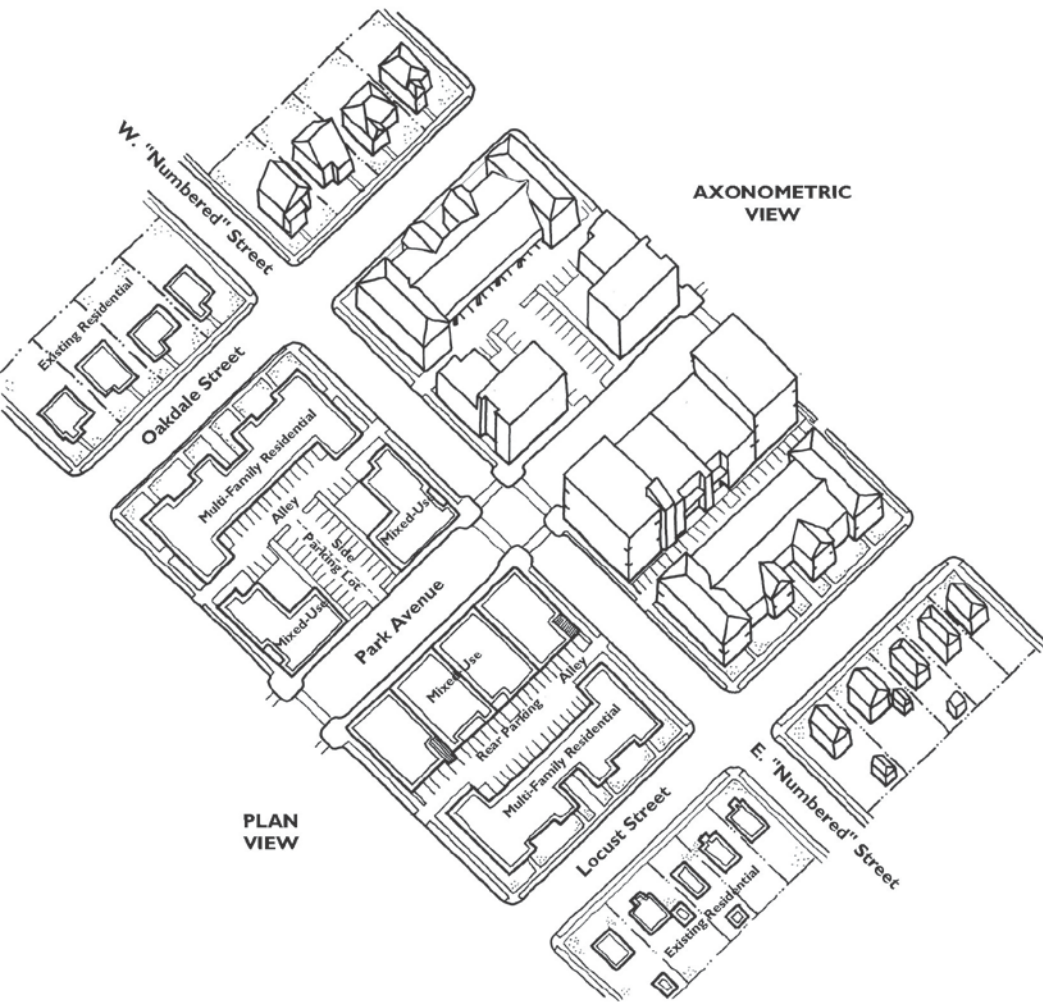
PARKING

Setbacks

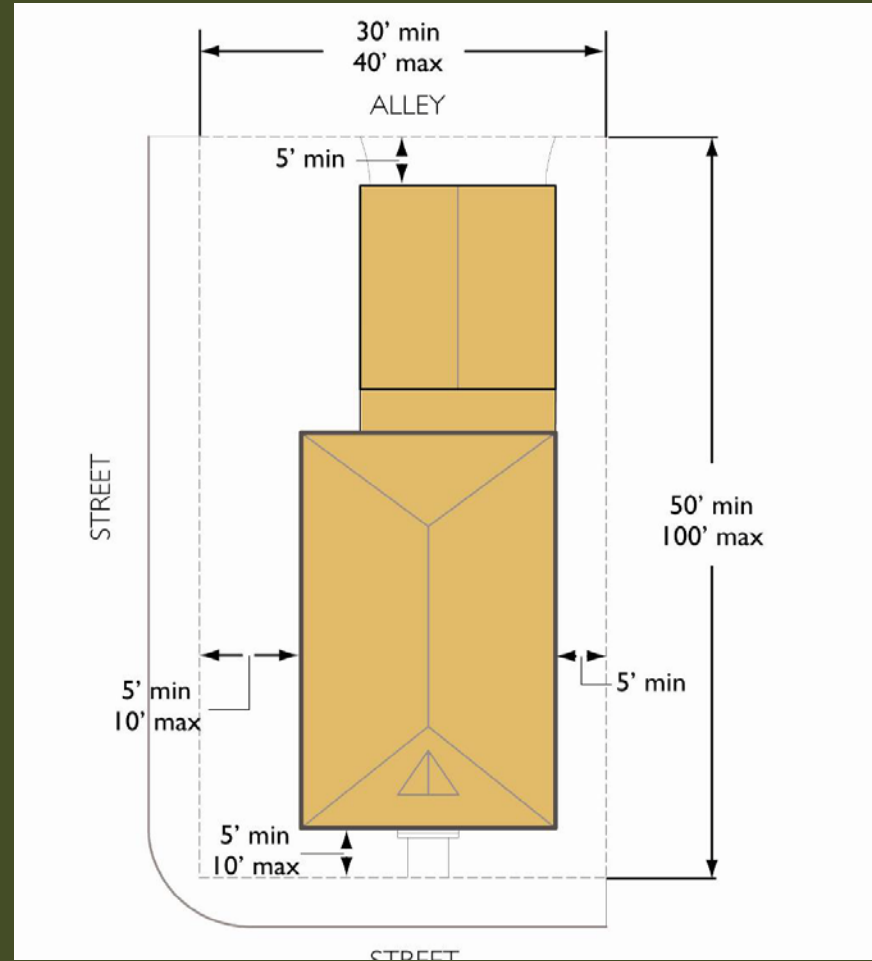
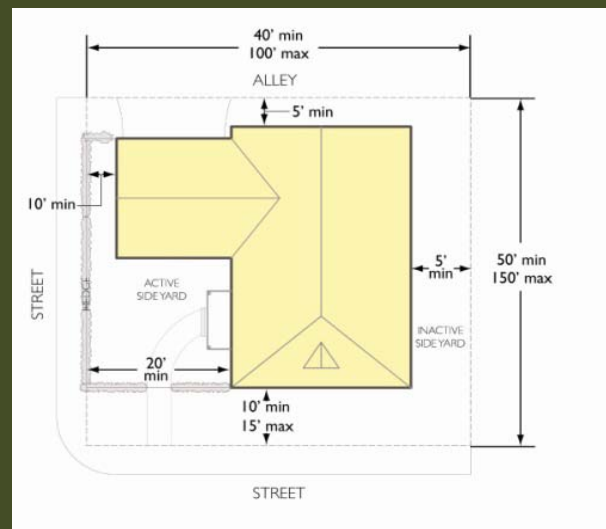
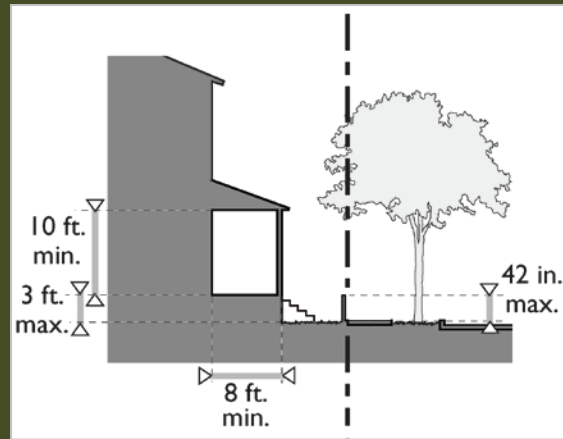
- H Front
- I Side street
- J Side interior
- K Rear



EXAMPLES—Site Design Diagram & Illustrations (Photos)



EXAMPLES—Setbacks & Lot Dimensions Shown in Diagrams



Zoning Ordinance Update

Key Elements of the Process



Key Elements of Update Process

1. Hiring of the Consultant (The Planning Center/DB&E hired in August 2012)
2. Review of the existing Ordinance and provide recommendations on different options for various areas of the City
3. Revisions to Existing Ordinance to a more readable, understandable format with illustrations and diagrams
4. Preparation of new zoning districts
5. Public outreach and citizen input

Public Outreach



- Public workshops
- Stakeholder Interviews
 - Architects, Developers, Engineers, Business Owners, Real Estate Professionals, Property Owners, etc.
- Media/Website Outreach
- Focus Group of Stakeholders to Review Draft Ordinance before Adoption (This is YOU!!!)
- City Council/Planning Commission Study Sessions
- Public Hearings



Project Schedule & Budget



- City received a \$200,000 grant
- Consultant services will cost \$150,000 with \$50,000 for City staff work
- Grant deadline is December 31, 2013, so most of the work of the consultants will be completed by then. Adoption process may take longer.
- Start Adoption Process by Late 2013

Current Zoning Ordinance



Organization of Current Ordinance

- Chapter 20.02 - TITLE AND PURPOSE
- Chapter 20.04 - DEFINITIONS
- Chapter 20.06 - DISTRICTS—GENERALLY
- Chapters 20.08 - .16 - RESIDENTIAL DISTRICTS (4 Districts)
- Chapters 20.18 - .28 - COMMERCIAL DISTRICTS (6 Districts)
- Chapters 20.30 - .36 - INDUSTRIAL DISTRICTS (3 Districts)
- Chapters 20.38 - .51 - SPECIAL DISTRICTS (8 Districts)
- Chapter 20.52 - INTERFACE REGULATIONS
- Chapter 20.54 - SPECIAL PROVISIONS
- Chapter 20.56 - CONDOMINIUMS
- Chapter 20.58 - OFF-STREET PARKING

Current Organization (Cont.)

- Chapter 20.60 - NONCONFORMITIES
- Chapter 20.62 - EXCEPTIONS
- Chapter 20.64 - PERMITS
- Chapter 20.66 - VARIANCES
- Chapter 20.68 - SITE PLAN APPROVAL
- Chapter 20.72 - PUBLIC HEARING
- Chapter 20.74 - REVOCATION
- Chapter 20.76 - AMENDMENTS
- Chapter 20.78 - FEES
- Chapter 20.80 - CONDITIONAL ZONING



Current Organization (Cont.)

- Chapter 20.82 - ENFORCEMENT
- Chapter 20.86 - SITE PLAN AND ARCHITECTURAL APPROVAL
- Chapter 20.88 - DENSITY BONUS
- Chapter 20.90 - ADULT ENTERTAINMENT BUSINESSES
- Chapter 20.92 - WIRELESS COMMUNICATIONS FACILITIES
- Chapter 20.94 - COVENANTS FOR EASEMENTS
- Chapter 20.96 - APPEALS PERTAINING TO TITLE 20
- Chapter 20.98 - REASONABLE ACCOMMODATION

What Each Chapter Contains

- Purpose of the Zoning District
- Permitted Uses (“By Right”)
- Accessory Uses (Go along with “By Right” uses)
- Conditional Uses (Requires permission from Planning Commission to locate there)
- Area, Lot and Yard Requirements (Densities, Lot Sizes, & Setbacks)
- Height Regulations
- Additional Conditions

See Examples of R-1, C-C, & I-L Chapters in Binders

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)

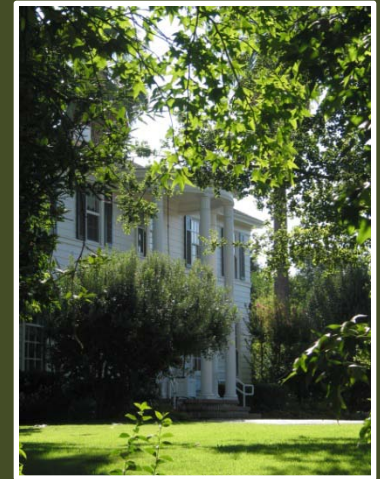
Proposed Organization of New Code

□ 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 (5 zones)
- 20.10 Urban Village Zones (3 NEW zones)
- 20.12 Commercial Zones (6 zones, including new business park zone)
- 20.14 Downtown Zones (6 NEW zones, Residential & Commercial)
- 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)
- 20.22 Overlay Zones (2 NEW zones)



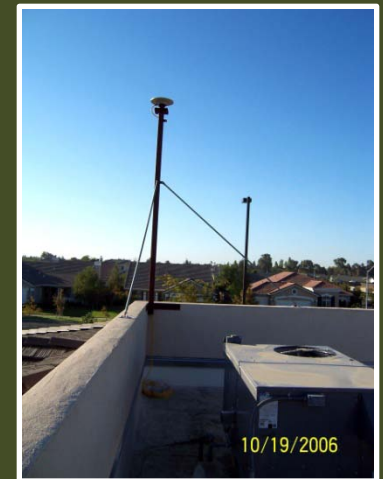
Proposed Organization (Cont.)

- 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



Proposed Organization (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



Proposed Organization (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





QUESTIONS?