
City of Merced

MEMORANDUM

DATE: March 1, 2016
TO: City Council
FROM: Kim Espinosa, Planning Manager
SUBJECT: Information on Commercial Zones in the City

In order to assist the City Council and the community in determining which zoning districts may be appropriate for medical marijuana dispensaries to be located in the City, City staff is providing excerpts from the Merced Zoning Ordinance Public Review Draft (September 2015) along with maps which show the locations of the various Commercial zones in the City.

The Draft Zoning Code includes definitions of the six existing Commercial Zones in the City along with the new Business Park zone as well as the proposed land uses that would be allowed in each of the zones. (Please keep in mind that this is still a draft and subject to change depending on public input and direction from the Planning Commission and City Council.) The Public Review Draft also includes Table B1, which shows the land uses that are allowed in the current zoning code for each of the commercial zoning districts for comparison purposes.

Along with the excerpts described above, City staff has prepared maps that show where the Commercial zoning districts are currently located in the City along with the corresponding General Plan designations so the City Council can see both existing and future areas which may have those zoning designations. (It should be noted that since many commercial areas are actually zoned Planned Development, one must look at the General Plan designation in order to see which zoning district it is equivalent to.) For example, one map shows where all the existing General Commercial zones are in the City along with where the General Commercial General Plan designations and any Planned Development zones with a General Commercial General Plan designation are located. One map is provided for each of the existing commercial zones, except for the C-SC zone which has only one parcel at the southeast corner of Childs and Canal that is zoned C-SC and the new Business Park zone which does not have any parcels with B-P zoning at this time.

Attachments

- A) Excerpts regarding Commercial Zoning Districts from the Merced Zoning Ordinance Public Review Draft (September 2015)
- B) Professional/Commercial Office (C-O) Zoning/General Plan Districts
- C) Regional/Community Commercial (RC/C-C) Zoning/General Plan Districts
- D) General Commercial (C-G) Zoning/General Plan Districts
- E) Thoroughfare Commercial (C-T) Zoning/General Plan Districts
- F) Neighborhood Commercial (C-N) Zoning/General Plan Districts

EXCERPTS FROM MERCED ZONING ORDINANCE
PUBLIC REVIEW DRAFT (SEPTEMBER 2015)

Chapter 20.10 - COMMERCIAL ZONING DISTRICTS

Sections:

20.10.010 Purpose of the Commercial Zoning Districts

20.10.020 Land Use Regulations for Commercial Zoning Districts

20.10.030 Development Standards and Guidelines for Commercial Zoning Districts

20.10.010 Purpose of the Commercial Zoning Districts

- A. **Neighborhood Commercial (C-N).** The C-N zoning district provides areas for shopping centers and other commercial uses that serve the day-to-day needs of residential neighborhoods. The C-N districts shall have a minimum area of three acres and shall be located only where analysis of the residential population demonstrates that the facilities are justified. **[Modified MMC 20.22.010]**
- B. **Shopping Center Commercial (C-SC).** The C-SC zoning district provides areas for grocery stores, supermarkets, and other retail establishments selling groceries to serve local residents as well as the larger regional market. The C-SC districts shall have a minimum area of five acres. **[Modified MMC 20.25.010]**
- C. **Regional/Central Commercial (C-C).** The C-C zoning district provides areas for a diversity of commercial and residential land uses in the central business district and regional centers. These uses help to support a vibrant retail destination, provide jobs for residents, and accommodate commercial and service uses to meet the needs of community and regional businesses and residents. **[Modified MMC 20.24.010]**
- D. **Office Commercial (C-O).** The C-O zoning district provides a location for a broad range of office uses including professional offices, business offices, medical offices, and regional or “back” offices. The C-O zoning district can also accommodate limited “accessory” restaurant, retail, and service uses that cater to the needs of on-site employees and visitors. **[Modified MMC 20.20.010]**
- E. **Thoroughfare Commercial (C-T).** The C-T zoning district provides areas for auto-oriented commercial uses that accommodate the needs of people traveling on highways and local motorists. The C-T zoning district also accommodates large recreational facilities and heavy commercial uses that benefit from proximity to the highway. **[Modified MMC 20.26.010]**
- F. **General Commercial (C-G).** The C-G zoning district provides areas for heavy commercial and light industrial uses that may impact neighboring uses and often require large parcels and benefit from separation from retail uses. The C-G districts are to be established in areas of four acres or larger. **[Modified MMC 20.28.010]**
- G. **Business Park (B-P).** The B-P zoning district provides a location for employment-intensive uses within an attractive campus-like setting. The B-P zoning district shall primarily allow “back” offices, research and development businesses but also limited commercial retail uses to serve employees in the area. The B-P zoning district shall have a minimum area of five acres.

[NEW]

20.10.020 Land Use Regulations for Commercial Zoning Districts

A. Permitted Uses. Table 20.10-1 identifies land uses permitted in commercial zoning districts. **[Compare with Current Uses in Table B1 on page 32A; B-P is NEW]**

TABLE 20.10-1 PERMITTED LAND USES IN THE COMMERCIAL ZONING DISTRICTS

Key	Zoning District ^[1]							
	C-O	C-N	C-C	C-SC	C-T	C-G	B-P	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								
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 (6 or Less)	X	X	P [3]	X	X	X	X	
Residential Care Facilities, Large (More than 6)	X	X	P [3]	X	X	X	X	
Single-Room Occupancy	X	X	P [3]	X	X	X	X	Section 20.44.120
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	

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	
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]	

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
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							

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]**

[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]**

a.

**TABLE B1—LAND USES IN THE COMMERCIAL ZONING DISTRICTS (CURRENT ZONING ORDINANCE)
FOR COMPARISON WITH PROPOSED TABLE 20.10-1. THERE IS NO CURRENT B-P DISTRICT.**

Key P Permitted Use A Accessory Uses C Conditional Use Permit Required PR Prohibited Uses (Specifically Listed) X Use Not Allowed or Not Listed	Zoning District						
	C-O	C-N	C-C	C-SC	C-T	C-G	B-P
RESIDENTIAL USES							
Multiple-Family Dwellings	C	C	C	PR[2]	X	X	n/a
Live/Work Units	X	C	C	PR[2]	X	X	n/a
COMMUNITY USES							
Day Care Centers	C	C	C	X	C	C	n/a
Drug & Alcohol Rehab Centers/Methadone	P	X	PR[1]	X	X	X	n/a
Emergency Shelters	X	X	C	X	X	P	n/a
Government Offices (Administrative, Executive, & Editorial Offices)	P	P	P	X	X	X	n/a
Hospitals	C	X	X	X	X	X	n/a
Instructional Services (Business & Tech Schools)	C	X	P	X	X	X	n/a
Licensed Massage Establishments	P	X	P	X	C	C	n/a
Medical Offices and Clinics	P	P	P	X	X	X	n/a
Parks and Recreational Facilities	X	P	P	X	P	X	n/a
Pregnancy Counseling & Testing Clinic	P	X	X	X	X	C	n/a
Public and Quasi Public Uses appropriate to Dist.	C	C	C	PR[2]	C	C	n/a
Schools/Studios for arts, crafts, photography, music & dance	P	X	P	X	X	X	n/a
Social hall, lodge, fraternal orgs & clubs	X	C	P	PR[2]	C	X	n/a
Therapeutic/rehabilitation offices	P	P	X	X	X	X	n/a
COMMERCIAL USES							
Alcoholic Beverage Sales under 20,000 SF	X	C	C	C	C	C	n/a
Alcoholic Beverage Sales over 20,000 SF	X	P	P	P	P	X	n/a
Alcoholic Beverage Sales for On-Site Consumption	X	C	P	C	P	X	n/a
Bail Bond Businesses	C	X	PR[1]	X	X	X	n/a
Bars and Nightclubs	X	X	C	X	C	C	n/a
Financial Offices, including banks & real estate	P	P	P	X	X	X	n/a
Billiard Parlor or Pool Hall (6 or more tables)	X	X	C	X	C	C	n/a

Key P Permitted Use A Accessory Uses C Conditional Use Permit Required PR Prohibited Uses (Specifically Listed) X Use Not Allowed or Not Listed	Zoning District						
	C-O	C-N	C-C	C-SC	C-T	C-G	B-P
Building Materials Sales & Contractors Yards	X	X	X	X	X	P	n/a
Car Wash	X	C	X	X	C	C	n/a
Card rooms	X	X	C	X	C	C	n/a
Commercial Recreation, Indoor (Bowling Alley, Skating Rinks, etc.)	X	X	C	X	P	C	n/a
Commercial Recreation, Outdoor	X	X	X	X	P	C	n/a
Commercial Baking & Laundry Plants	X	X	C	X	X	P	n/a
Convenience Market with Gasoline	X	C	C	PR[2]	P	P	n/a
Drive-Through and Drive-Up Sales	X	C	C	PR[2]	P	C	n/a
Equipment Sales and Rental	X	X	X	X	P	P	n/a
Fast food Restaurants	X	C	P	X	P	C	n/a
Flea Market	X	X	X	X	C	X	n/a
Mortuaries and Crematories	C	X	C	X	C	P	n/a
Gas and Service Stations	X	C	C	PR[2]	P	P	n/a
Heating & A/C Sales and Services	X	X	C	X	X	P	n/a
Horticultural Nurseries, greenhouses, roadside stands	X	X	X	X	P	P	n/a
Hotels and Motels	X	X	P	X	P	X	n/a
Hookah Lounges	X	X	C	X	X	X	n/a
Kennels, including Animal Hospitals & Vets	X	X	X	X	C	P	n/a
Medical and Dental Laboratories	P	X	X	X	X	X	n/a
Mobile Food Vehicles	X	X	PR	X	P[9]	C	n/a
Mobile Home Sales	X	X	X	X	P	P	n/a
Office, Professional	P	P	P	X	X	X	n/a
Pawn Shops	X	X	PR[1]	X	X	X	n/a
Payday Loan Businesses	X	X	C[1]	X	X	X	n/a
Personal Services (Beauty Salons, Barber shops, tanning salons, & nail salons)	C	P	P	X	C	C	n/a
Prescription Pharmacies without variety goods	C	P	P	X	X	X	n/a
Retail, General	A[6]	P	P	X	P	P	n/a
Restaurants	A[6]	P[8]	P	X	P	C	n/a
Shopping Center	X	C	P	P[5]	C	C	n/a
Sidewalk Café	X	C	C	C	P	X	n/a

Key P Permitted Use A Accessory Uses C Conditional Use Permit Required PR Prohibited Uses (Specifically Listed) X Use Not Allowed or Not Listed	Zoning District						
	C-O	C-N	C-C	C-SC	C-T	C-G	B-P
Supermarket, super grocery stores	X	C	P	P	C	C	n/a
Tattoo Parlors	X	C	C	X	C	C	n/a
Theater	X	C	P	X	C	C	n/a
Vehicle Parts and Accessories Sales & Rentals	X	X	P	X	P	P	n/a
Vehicle Repair and Maintenance, Minor	X	C	P	PR[2]	P	P	n/a
Vehicle Repair & Maintenance, Major	X	X	X	PR[2]	C	P	n/a
Vehicle Sales, New	X	X	P	X	P	P	n/a
Vehicle Sales, Used	X	X	C	X	P	P	n/a
INDUSTRIAL USES							
Concrete & Asphalt Mixing Yards	X	X	X	X	C	C	n/a
Manufacturing and Processing, General	X	X	X	X	X	P	n/a
Manufacturing and Processing, Light	X	X	X	X	X	P	n/a
Printing, Publishing or Lithographic Shop	X	X	C	X	X	P	n/a
Refrigerated Locker Plants	X	X	C	X	X	P	n/a
Research and Development	X	X	X	X	X	--	n/a
Salvage and Wrecking Operations	X	X	X	X	X	C	n/a
TRANSPORTATION, COMMUNICATION, AND UTILITY USES							
Commercial Parking Lots for Passenger Vehicles	P	P	P	X	P	P	n/a
Heliports	X	X	X	X	C	C	n/a
Public/Mini Storage	X	X	X	X	X	P	n/a
Public Transportation Terminals	X	X	C	X	X	X	n/a
Public Utility uses, substations, & communication	C	C	C	PR[2]	P	P	n/a
Recycling Collection Facilities	X	A	A	X	A	A	n/a
Truck Depots	X	X	X	X	C	P	n/a
Warehousing, Wholesaling, and Distribution	X	X	SP[11]	X	X	P	n/a
Wireless Communications Facilities	See Chapter 20.62						

Notes:

[1] Prohibited in the "City Center" as defined in MMC 24.055.

[5] 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.

[6] Permitted only as an ancillary use to serve employees or patrons with no exterior display or advertising and no separate entrance.

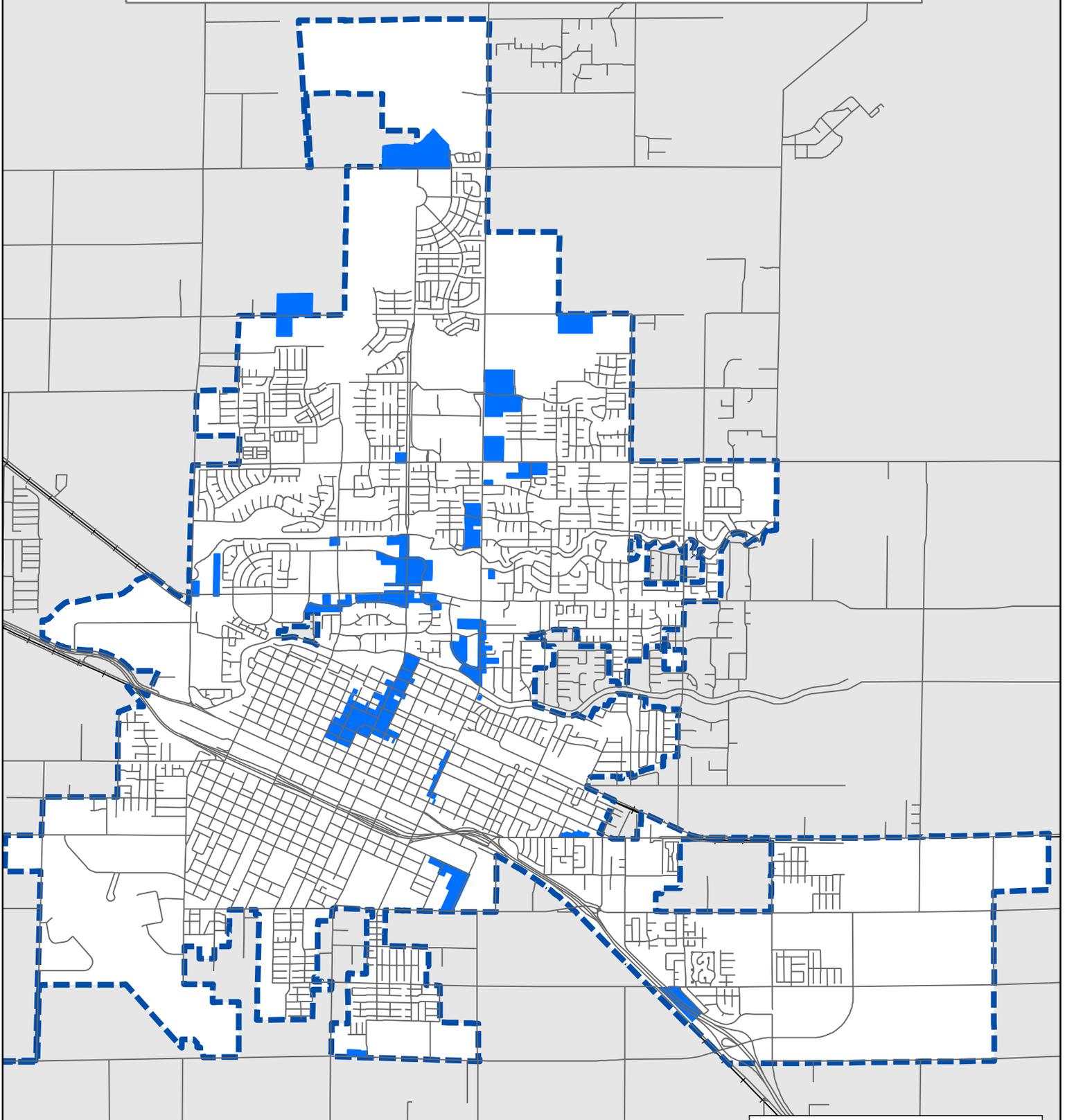
[9] Includes refreshment stands.

[11] Refer to MMC 20.24.045 and 20.24.046 for provisions.

References in Current Code:

Zone & Land Uses	Current MMC Section
C-O Zone	
Principally-Permitted Uses	MMC 20.20.020
Accessory Uses	MMC 20.20.030
Conditional Uses	MMC 20.20.040
C-N Zone	
Principally-Permitted Uses	MMC 20.22.020
Accessory Uses	MMC 20.22.030
Conditional Uses	MMC 20.22.050
C-C Zone	
Principally-Permitted Uses	MMC 20.24.020
Accessory Uses	MMC 20.24.030
Conditional Uses	MMC 20.24.040
C-SC Zone	
Principally-Permitted Uses	MMC 20.25.020
Accessory Uses	MMC 20.25.030
Conditional Uses	MMC 20.25.050
C-T Zone	
Principally-Permitted Uses	MMC 20.26.020
Accessory Uses	MMC 20.26.030
Conditional Uses	MMC 20.26.040
C-G Zone	
Principally-Permitted Uses	MMC 20.28.020
Accessory Uses	MMC 20.28.030
Conditional Uses	MMC 20.28.040
NOTE: There is no Current B-P District	

Professional/Commercial Office (CO)



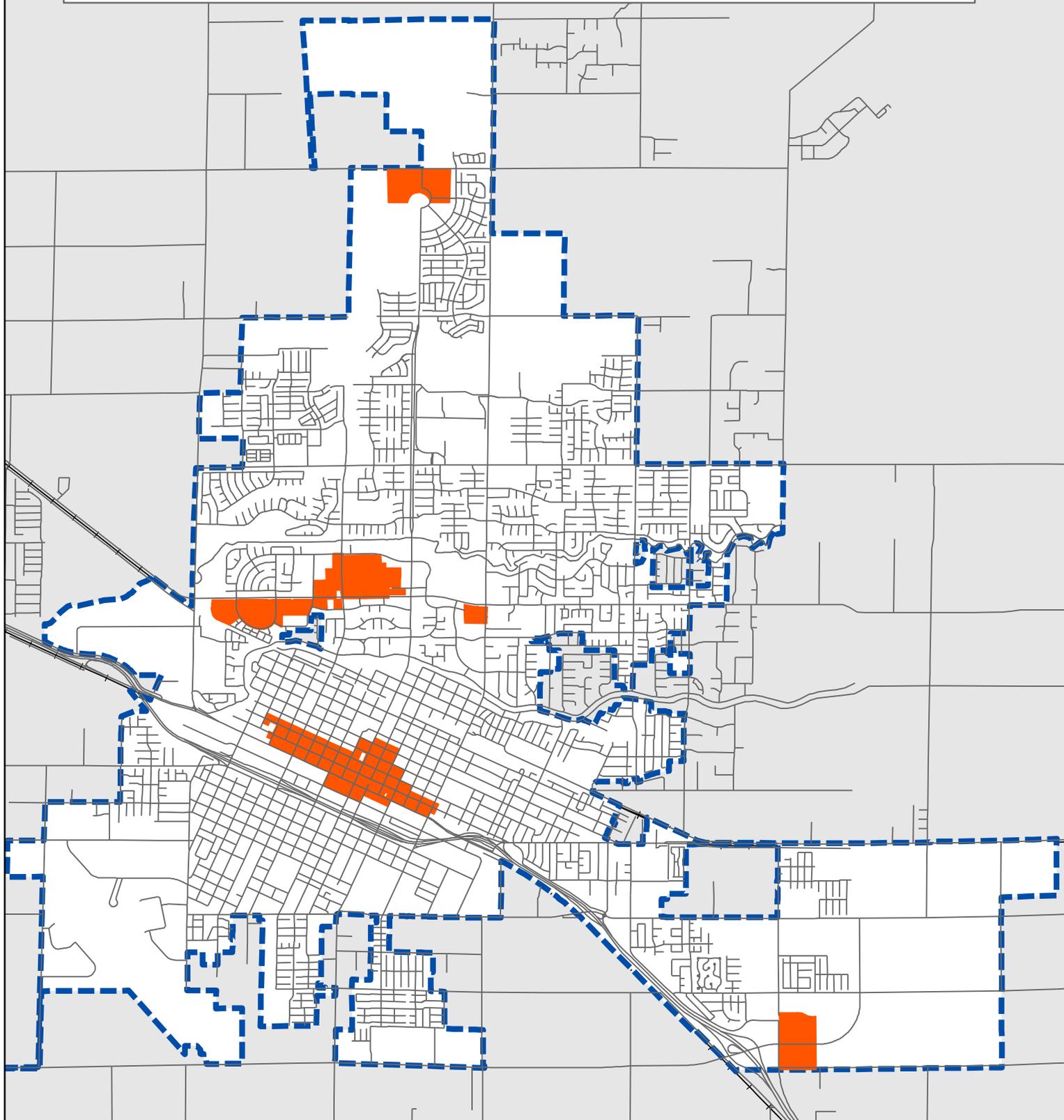
Disclaimer: This document was prepared for general inquiries only. The City of Merced is not liable for errors or omissions that might occur. Official information concerning specific parcels should be obtained from recorded or adopted City documents.

Legend

-  CO Zoning and General Plan
-  Roads
-  Railroads
-  City Limits



Regional/Community Commercial (RC/CC)



Disclaimer: This document was prepared for general inquiries only. The City of Merced is not liable for errors or omissions that might occur. Official information concerning specific parcels should be obtained from recorded or adopted City documents.

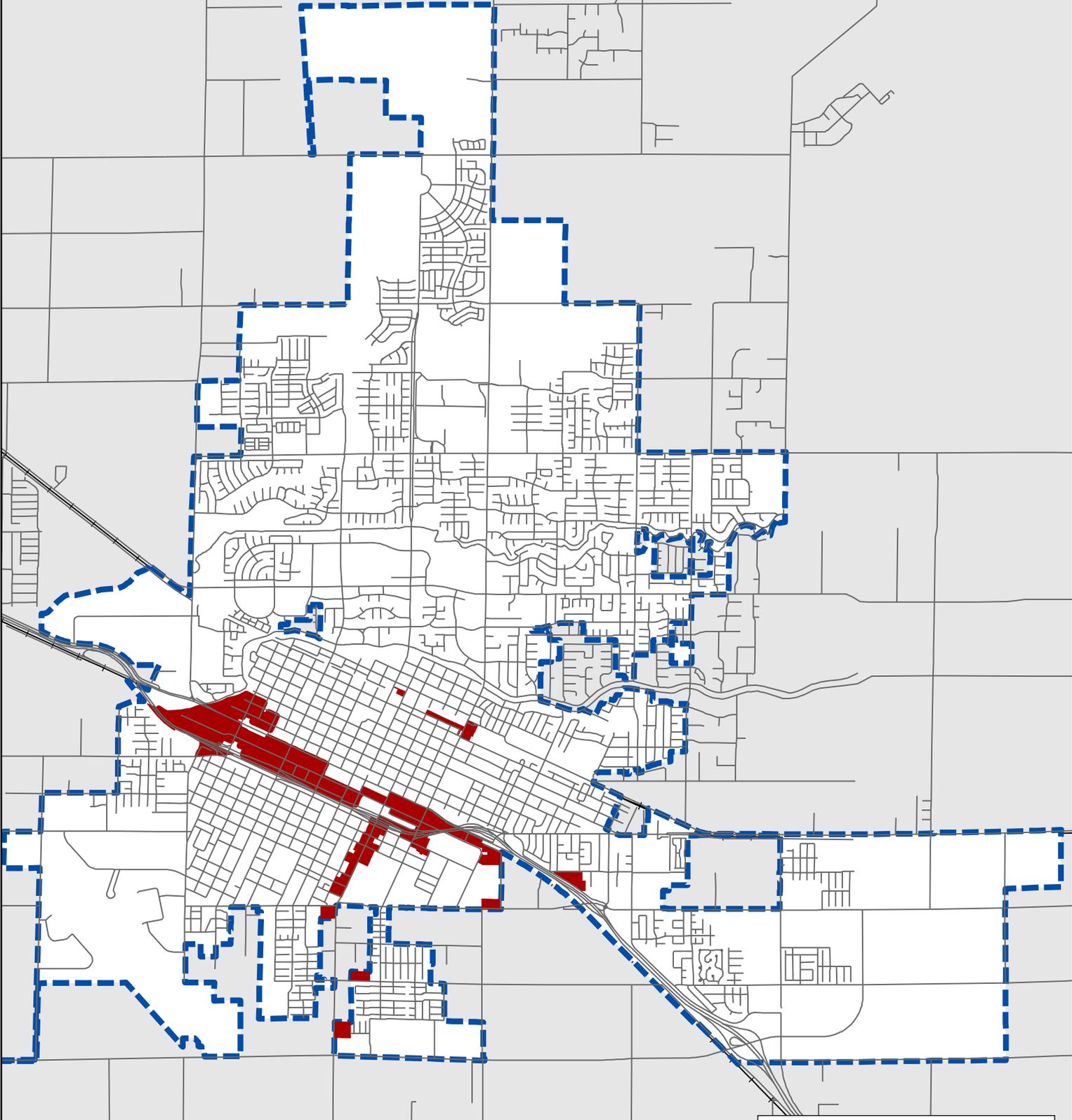
Legend

-  RC/CC Zoning and General Plan
-  Roads
-  Railroads
-  City Limits

N



General Commercial (CG)



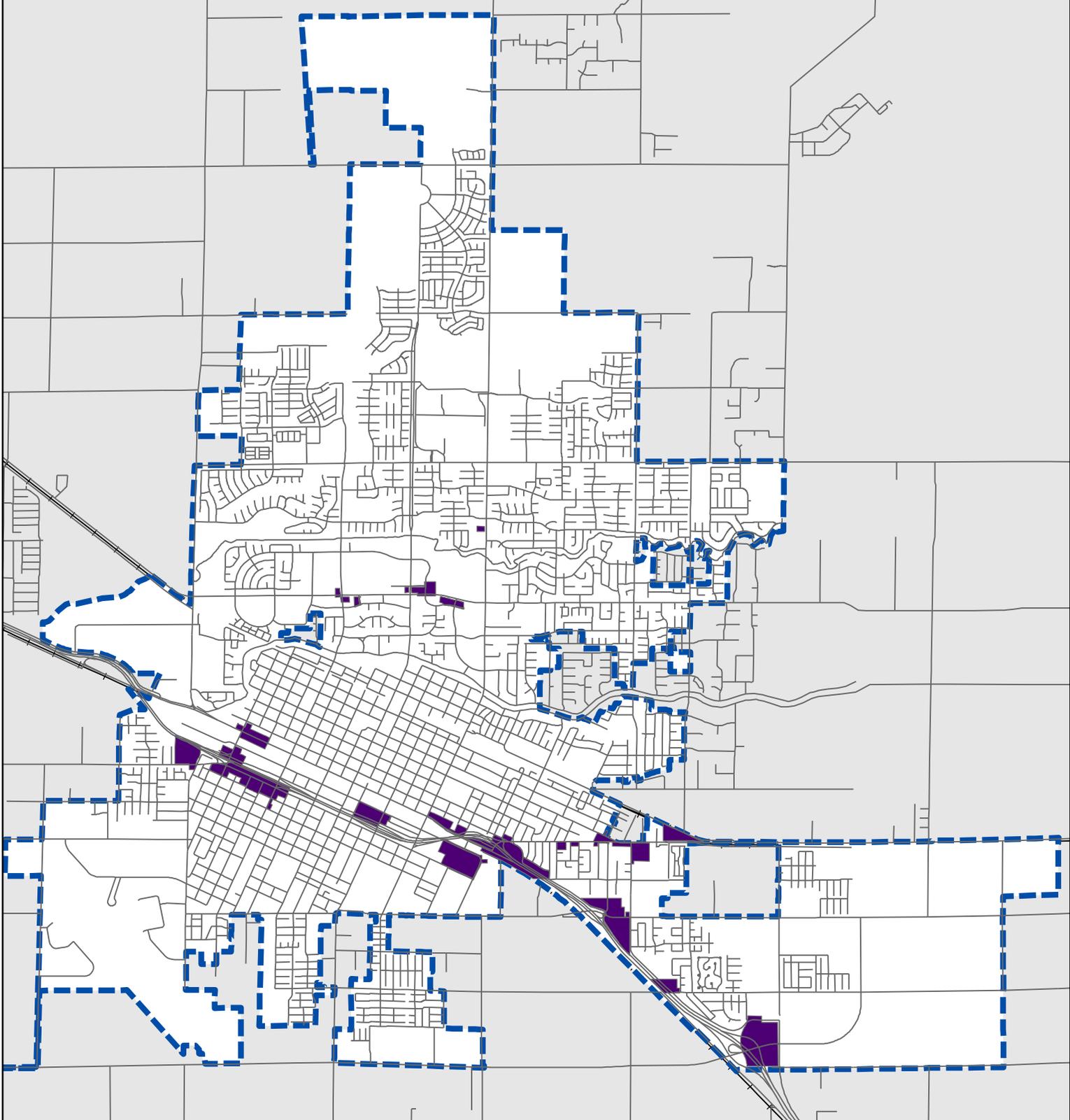
Disclaimer: This document was prepared for general inquiries only. The City of Merced is not liable for errors or omissions that might occur. Official information concerning specific parcels should be obtained from recorded or adopted City documents.

Legend

-  CG Zoning and General Plan
-  Roads
-  Railroads
-  City Limits



Thoroughfare Commercial (CT)



Disclaimer: This document was prepared for general inquiries only. The City of Merced is not liable for errors or omissions that might occur. Official information concerning specific parcels should be obtained from recorded or adopted City documents.

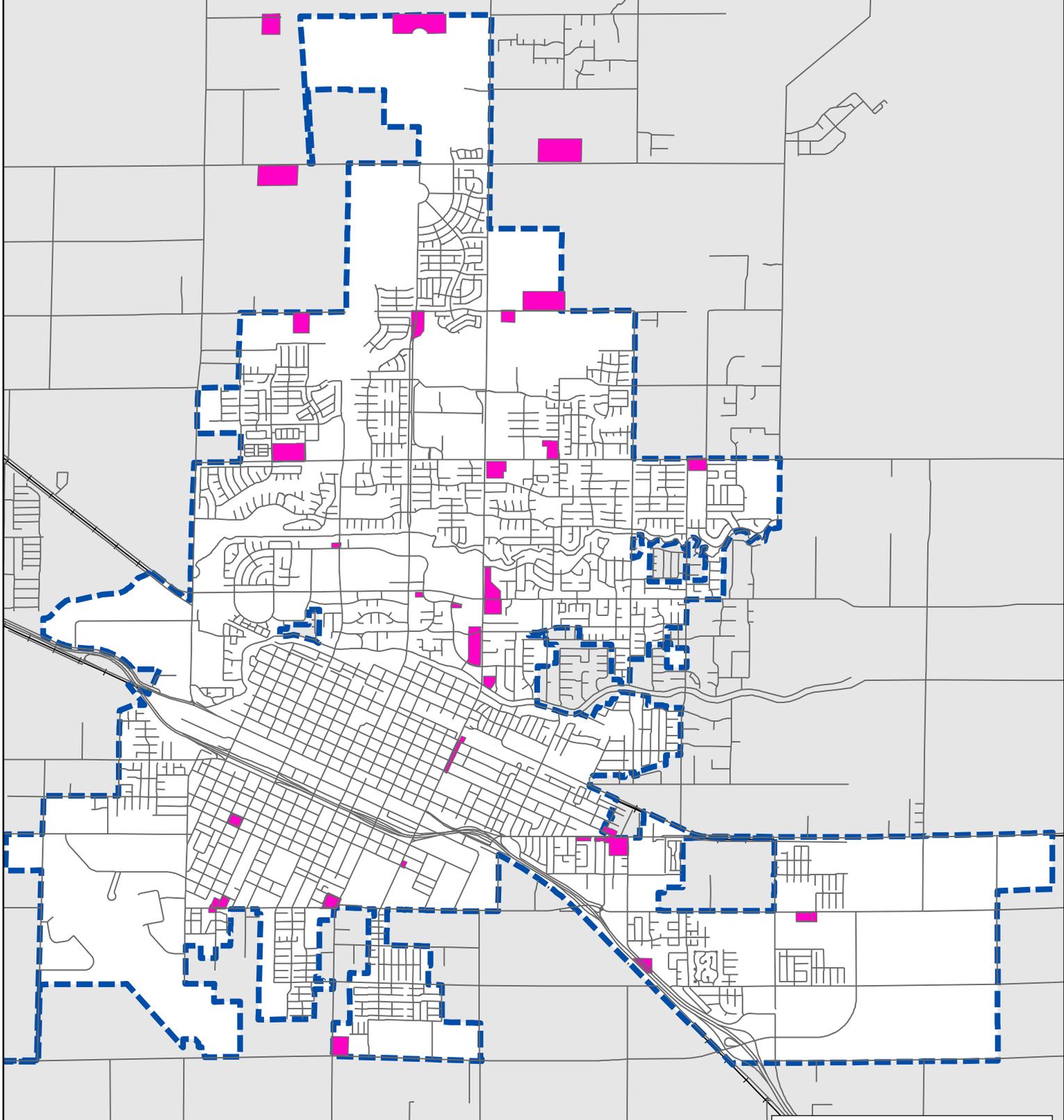
Legend

-  CT Zoning or General Plan
-  Roads
-  Railroads
-  City Limits

N



Neighborhood Commercial (CN)



Disclaimer: This document was prepared for general inquiries only. The City of Merced is not liable for errors or omissions that might occur. Official information concerning specific parcels should be obtained from recorded or adopted City documents.

Legend

-  CN Zoning or General Plan
-  Roads
-  City Limits
-  Railroads

N

