



Legislation Details (With Text)

**File #:** 16-087      **Version:** 1      **Name:**  
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**File created:** 3/3/2016      **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority  
**On agenda:** 3/21/2016      **Final action:** 3/21/2016  
**Title:** SUBJECT: Joint Planning Commission/City Council Study Session on the Draft Zoning Ordinance

**REPORT IN BRIEF**

The City Council will meet in a joint study session with the Planning Commission to discuss suggested changes to the Public Review Draft of the Merced Zoning Ordinance discussed at the December 7, 2015, Joint Study Session.

**RECOMMENDATION**

Provide direction to staff on the Zoning Ordinance.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Att 1--CoverMemo-Focus Grp-Recommendations-02-04-16.pdf, 2. Att 2--CoverMemo-ZOPublic Review Draft--Sept2015.pdf

Date	Ver.	Action By	Action	Result
3/21/2016	1	City Council/Public Finance and Economic Development Authority/Parking Authority	approved	Pass

*Report Prepared by: Kim Espinosa, Planning Manager, Development Services Department*

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**ALTERNATIVES**

None

**AUTHORITY**

Title 20 of the Merced Municipal Code is the current Merced Zoning Ordinance.

**CITY COUNCIL PRIORITIES**

Under the “Future Planning” section, the Zoning Ordinance Update is listed as a Council priority.

## DISCUSSION

### Introduction

On December 7, 2015, the Planning Commission and City Council held a joint study session on the Public Review Draft of the Merced Zoning Ordinance that was released in September 2015. At the study session, Council Member Belluomini provided an outline of different issues that he wanted to have addressed in the new ordinance. After briefly discussing these items, the Planning Commission and City Council asked that the Zoning Ordinance Focus Group meet again to discuss the items in more detail.

### Focus Group Recommendations

Focus Group meetings were held on January 21, and February 4, 2016. Staff had provided the Focus Group with information to facilitate the discussion as well as a feedback form for those members who were not able to attend the meetings (Attachment 1). Unfortunately, attendance at both meetings was sparse (see Attachment 1) and no members took advantage of the feedback form. However, those Focus Group members who did attend had very thorough and thoughtful discussions about the items and did come to a consensus regarding each item. Council Member Belluomini was able to attend the meetings and described his proposals in detail with the Focus Group members present.

The Zoning Ordinance Focus Group made the following recommendations by consensus regarding the specific items from Council Member Belluomini.

1. *Variation in Lot Dimensions for R-1-6 subdivisions:* The Focus Group recommended that this section remain as written.
2. *Development Guidelines for C-C and B-P Zoning Districts, Pedestrian Circulation:* The Focus Group recommended that functional awnings “should” (but not “shall”) be added to protect pedestrians from the rain when walking along building frontages of businesses which abut each other.
3. *Development Standards for Industrial Zoning Districts:* The Focus Group recommended to increase the Heavy Industrial (I-H) Exterior Setback from zero to 15 feet.
4. *Side Court Apartments:* The Focus Group recommended that the following additional subsections be added: “4a) The side courtyard shall be a shared space accessible to all building residents. 4b) Pathways shall be provided from each unit to the side courtyard and from the side courtyard to a public sidewalk adjacent to the site.”
5. *Off Street Parking Requirements for Multi-Family Dwellings:* The Focus Group recommended the following modified Option C from Attachment 5 of Attachment 1: “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 and 1.0 spaces per additional full or partial bathroom over 3 (instead of 2 as originally proposed by Council Member Belluomini) in each unit.”
6. *Standards for Solar Carports:* The Focus Group recommended that such standards be developed by staff and presented to City Council in the future due to the evolving nature of this technology but should not hinder the adoption of the ordinance at this time.
7. *Design Standards for Single-Family Dwellings:* The Focus Group recommended that a reference to the Fire Code requirement for addresses to be a certain height and visible from the street be added.

8. *“Defensible Space” Design Standards for Multi-Family*: The Focus Group recommended that Items #8, #9, #10, #11, and #12 be included as guidelines (“should”) instead of standards (“shall”) so that they were recommendations only and not strict requirements.
9. See #8 above.
10. See #8 above.
11. See #8 above.
12. See #8 above.
13. *Development Standards for Residential Zoning Districts*: The Focus Group recommended that the Interior Yard (a.k.a. “backyard”) setback remain at 10 feet, not 12 feet as proposed by Council Member Belluomini, for all residential zones.
14. *12 Foot by 20 Foot Outdoor Private Space*: The Focus Group recommended that the such spaces should be encouraged as guidelines (“should”) but not required (“shall”) and if provided, that they be useable spaces, not just decorative, of a minimum size of 5 feet by 8 feet.
15. *6 Foot by 12 Foot Balcony*: The Focus Group recommended that such spaces should be encouraged as guidelines (“should”), but not required (“shall”) and if provided, that they be useable spaces, not just decorative, of a minimum size of 5 feet by 8 feet.

### Purpose of Study Session

The purpose of tonight’s study session is for the Planning Commission and City Council to give direction to staff regarding the following:

1. Should staff incorporate the Focus Group recommendations on the suggestions from Council Member Belluomini into the draft Zoning Code?
2. Are there any additional suggestions or changes that staff should incorporate into the draft Zoning Code?
3. Does the Planning Commission and City Council want to have more joint study sessions on the Draft Zoning Code to review the document in detail using the review questions in Attachment 2?
4. If not, should staff proceed with scheduling public forums and public hearings to consider adoption this summer?

Please bring your copy of the Public Review Draft of the Merced Zoning Ordinance to the study session with you.

### **IMPACT ON CITY RESOURCES**

No appropriation of funds is necessary.

### **ATTACHMENTS**

1. Focus Group Recommendations (February 2016)
2. Zoning Ordinance Review Questions (September 2015)