



# CITY OF MERCED ZONING ORDINANCE UPDATE FOCUS GROUP

## MINUTES

Merced Civic Center  
First Floor Sam Pipes Room

678 W. 18<sup>th</sup> Street  
Thursday, January 29, 2015  
8:15 a.m.

### **Mission of Focus Group**

Update the Zoning Ordinance to be more user-friendly and easier to understand for the Community.

#### A. CALL TO ORDER

Chairperson LOGUE called the meeting to order at 8:20 a.m.

#### B. ROLL CALL

Members Present: Kenra Bragonier, Loren Gonella, Des Johnston, Jack Lesch, Bruce Logue, Elmer Lorenzi, Guy Maxwell, and Michelle Paloutzian

Members Absent: Jim Abbate, Christina Alley, Ann Andersen, Todd Bender, Adam Cox, Tony Dossetti, Flip Hassett, Carole McCoy, Joe Ramirez, Mike Salvadori, Stan Thurston, Brandon Williams, and Jim Xu

Staff Present: Director of Development Services David Gonzalves, Planning Manager Kim Espinosa, and Recording Secretary Terri Lucas

#### C. APPROVAL OF ACTION MINUTES

M/S LORENZI-BRAGONIER, and carried by unanimous voice vote (13 absent), to approve the Minutes of February 13, 2014, as submitted.

#### D. ITEMS

1. Request from Merced County Department of Public Health regarding Tobacco Sales

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Stephanie NATHAN, Department of Public Health, reviewed their request for inclusion of special zoning restricts for tobacco sales in the Zoning Ordinance. Ms. NATHAN provided the Focus Group with the American Lung Association's Matrix of Local Ordinances Restricting Tobacco Retailers Near Schools. Ms. NATHAN responded to questions from the Focus Group.

M/S LORENZI-LESCH, and carried by unanimous voice vote (13 absent) to recommend that staff include in the Zoning Ordinance Update a ban on tobacco products, including e-cigarettes, within 1,000 feet of youth oriented areas such as schools and playgrounds (additional uses to be identified by staff). Retail businesses over 20,000 square feet would be exempt from the ban, consistent with the current code regarding alcohol sales.

## 2. Questions/Comments on Focus Group Review Draft of Zoning Ordinance

The Focus Group discussed Chapter 20.08 – Residential Zoning and made the following recommendations:

***Fraternity and Sorority Houses.*** The Focus Group came to the consensus that they should be allowed in an R-1 zone by Conditional Use Permit with a limit on size and number of residents.

***Large Day Care and Residential Adult Care.*** Staff explained that the State of California regulates these facilities and doesn't give the City much discretion but that fire codes would offer some regulation.

***Agriculture and Natural Resources.*** Group Member BRAGONIER was concerned about allowing farming in a residential zone and Ms. ESPINOSA explained that the current ordinance allows farming in Residential zones by right and by changing the code to require a Conditional Use Permit, it provides the City the ability to apply conditions and consider interface issues with the existing neighborhood.

***Large Foster Homes, Nursing Homes, Convalescent Hospitals and Bed and Breakfasts (B&B).*** Allow in Rural Residential with Conditional Use Permit and remove the historic designation requirement for B&B's.

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3. Scheduling Future Meetings

At the recommendation of staff, the Focus Group scheduled meetings for February 12 and 26, 2015, at 8:15 a.m. Planning Manager ESPINOSA requested that for the next meeting the Group members focus on Chapters 20.10 (Commercial) and 20.12 (Industrial) on Pages 21-40 of the Draft Zoning Ordinance Update.

E. ADJOURNMENT

The meeting was adjourned at 9:30 a.m.

Respectfully submitted,

*/s/ Kim Espinosa (for David Gonzalves)*

David Gonzalves, Secretary  
Zoning Ordinance Update

APPROVED:

Bruce Logue, Chairperson  
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