



ZONE CODE TEXT AMENDMENT NO. ZCTA20-001
Amendments to Title 18 (Zoning Code)
Merced County

Merced County
Planning Commission
March 25, 2020

- ❑ A comprehensive update and amendment of Title 18 (Zoning) of the Merced County Code was adopted by the Board of Supervisors on October 22, 2019 and became effective on November 21, 2019.

Purpose of the Amendments

- ❑ To make the Code consistent with State Statutes:
 - Second Units (ADUs) in single and multifamily residential zones; and,
 - Streamlined approvals for some multifamily developments.
- ❑ To improve clarity, and correct errors and omissions found by Staff.

- ❑ The corrections for clarity, errors & omissions are outlined in detail in the staff report.
 - ❑ Typos;
 - ❑ Numbering/formatting errors;
 - ❑ Corrections for clarity & consistency; and,
 - ❑ Omissions from the pre-2019 Zone Code (Ordinance No. 1586).

- ❑ **Accessory Dwelling Units in Single-family and Multifamily Zones – Highlights of New Regulations.**
 - ❑ New Rules, generally, apply to all parcels zoned Single-family and Multifamily Residential and Mixed-Use;
 - ❑ 4 types of ADUs are established (See Exhibit A, page 23):
 - ❑ Attached;
 - ❑ Detached;
 - ❑ Converted; and,
 - ❑ Junior ADUs
 - ❑ Review is Ministerial with a 60 day processing time
 - ❑ Per State Law Regulations Sunset on January 1, 2025

- ❑ **Key Changes from Previous ADU laws:**
 - ❑ A Single-family residentially zoned parcel, with an existing or proposed single-family dwelling, may “potentially” have:
 - ❑ One of the following:
 - A Junior ADU; or,
 - An **Attached ADU**; or ,
 - A **Converted ADU**.
 - AND
 - ❑ One **Detached ADU**

- ❑ **Key Changes from Previous ADU laws:**
 - ❑ A Multi-family residentially zoned parcel, with an existing multi-family dwelling, may “potentially” have:
 - ❑ One of the following:
 - Multiple **Converted ADUs** (not exceeding 25% of the total number of existing dwellings); and,
 - A Maximum of 2 **Detached ADUs**

- ❑ Streamlined Approval for Multifamily Developments and Objective Design Standards – Highlights of New Regulations:
 - ❑ Provisions only apply to multi-family developments (with two or more residential units);
 - ❑ Applicant has to request process;
 - ❑ Project must meet eligibility requirements; and
 - ❑ Review is Ministerial (e.g., cannot require a Conditional Use Permit or other discretionary approval).
 - ❑ Per State law the requirement for these regulations sunset on January 1, 2026.

- ❑ Streamlined Approval for Some Multifamily Developments and Objective Design Standards – Highlights of New Regulations:
 - ❑ Objective Design Standards have been created for the multi-family zones that focus on building and site design.
 - ❑ Standards do not require any particular architectural style. Instead they focus on materials, building form and placement, and the building's relation to the public realm (e.g., fenestration, entrances, and semi-public attachments)

- ❑ **Changes to Design Review Requirements:**
 - ❑ Section 18.122.020 (Applicability, Site Plan and Design Review Required, and Compliance with Chapter Required) is amended to:
 - ❑ When is Design Review Required;
 - ❑ Specific Definitions; and,
 - ❑ Projects Exempt from Design Review

CEQA Determination Motion No. 1

- ❑ **MOTION:** Recommend the Board of Supervisors find the proposed amendments to the Zone Code regarding: Chapters: 18.10 (Agricultural Zones); 18.12 (Residential Zones); 18.14 (Commercial Zones); 18.36 (Landscaping); 18.44 (Sign Regulations); 18.60 (Standards for Specific Land Uses); 18.62 (Accessory Dwelling Units); 18.112 (Application Processing Procedures); 18.114 (Administrative Permits); and 18.122 (Site Plan and Design Review) are exempt from further environmental review under Section 15162 – “Subsequent EIRS and Negative Declarations” of the CEQA Guidelines based on findings included in the staff report for the proposed amendments, together with the analysis in the 2019 Addendum to the Certified Final Program Environmental Impact Report (FPEIR) prepared for the 2030 Merced County General Plan Update (together with the FPEIR), evidence in the record before the Planning Commission, the Board’s findings in certifying the FPEIR, and the adopted Mitigation Monitoring and Reporting Plan; and,

CEQA Determination- Motion No. 2

- ❑ **MOTION:** Recommend the Board of Supervisors determine that the amendments to Chapter 18.62 (Accessory Dwelling Units) to bring the Title 18 (Zoning) of the Merced County Code in-line with recent State statues regarding second units in single-family and multifamily residential zones can be found statutorily exempt from environmental review pursuant to Public Resources Code section 21080.17.

Project Determination – Motion No. 3

- ❑ **MOTION:** The Planning Commission adopts the resolution recommending the Board of Supervisors adopt the ordinance amending portions of Title 18 (Zoning) of the Merced County Code.