



# City of Farmersville Planning Commission Agenda July 26, 2017 • 6:00 p.m.

1. Call to Order. *The Chairperson calls the meeting to order.*
2. Roll Call: *The Chairperson asks for roll call.*  
Becerra: \_\_\_ Casas: \_\_\_ Llamas: \_\_\_ Luna: \_\_\_ Reyes: \_\_\_
3. Pledge of Allegiance. *The Chairperson leads the Pledge of Allegiance.*
4. Approval of Minutes: June 21, 2017. *The Chairperson asks for a motion to approve the minutes, as well as a second.*  
Motion: \_\_\_ Second: \_\_\_ All in Favor: \_\_\_ All Against: \_\_\_
5. Public Comments. *The Chairperson should ask for any public comments (that are not related to items listed on the agenda).*

This portion of the agenda is reserved for persons wishing to address the Planning Commission on any matter that is not listed for review on the agenda. Individuals must give their name and address and limit their comments to three minutes. Issues raised during Public Comments are informational only and the Planning Commission cannot take action at this time. All comments shall be directed towards the Chairperson and not to individual Commissioners or staff.

6. Public Hearings
  - A. **Conditional Use Permit 2017-01 (Pena).** A Conditional Use Permit to allow a mobile food truck to operate in the parking lot of the existing convenience store/gas station located at 138 W. Visalia Road. **Resolution 2017-04.** *The Chairperson asks the City Planner to deliver the report. Following any questions by the Commission, the Chairperson opens the hearing for public comments. The Chairperson then closes the hearing and asks the Commission for questions and comments. Following that, the Chairperson asks for a motion and a second to adopt the resolution. The Chairperson then asks for roll call.*  
Motion: \_\_\_ Second: \_\_\_  
Becerra: \_\_\_ Casas: \_\_\_ Llamas: \_\_\_ Luna: \_\_\_ Reyes: \_\_\_
7. New Business
  - A. **Workshop on Accessory Dwelling Unit Law.** A review of information related to California's new accessory dwelling unit laws, and changes required to the

Farmersville Zoning Ordinance. *The Chairperson asks the City Planner to deliver the report, then asks the Commission for questions and discussion.*

9. City Planner's Comments, Commissioner Comments. *The Chairperson asks for a report from the City Planner; Following that, the Chairperson asks for any comments from the Commission.*
10. Adjournment. *The Chairperson asks for a motion to adjourn the meeting and then a second.*

Motion: \_\_\_\_ Second: \_\_\_\_ All in Favor: \_\_\_\_ All Against: \_\_\_\_

Next Planning Commission Meeting: Tentatively scheduled for August 23, 2017 (special meeting date).

Next Resolution number: 2017-05.

# City of Farmersville Planning Commission Minutes June 21, 2017

1. Call to Order. Chairperson Luna called the meeting to order at 6:02 pm.
2. Roll Call:  
  
Present: Casas, Llamas, Luna, Reyes  
Absent: Becerra
3. Pledge of Allegiance. Chairperson Luna led the Pledge of Allegiance.
4. Approval of Minutes: A motion to approve the minutes of the meeting of May 17, 2017 was made by Commissioner Llamas, second by Commissioner Casas. The motion carried unanimously.
5. Public Comments. No comments were offered.
6. Public Hearings

- A. **Conditional Use Permit 2016-04 (Magdaleno (Mercado Sol Del Valle).** *A Conditional Use Permit to allow a parking lot that was constructed without permits on a lot on the west side of Farmersville Boulevard, north of Visalia Road, south of Birch Street.*

Karl Schoettler gave the staff report and identified concerns and conditions related to the parking lot, that was constructed without permits. Jaime Salinas (representing the applicant) explained that his client is in agreement with the conditions of approval. Mr. Schoettler also recommended that a condition be added to the resolution granting the applicant 90 days to comply with the conditions of approval.

A motion to approve Resolution 2017-01 (with the addition of a 90 day period to comply with conditions of approval) was made by Commissioner Reyes, second by Commissioner Llamas. Voting was as follows:

AYES: Casas, Llamas, Luna, Reyes  
NOES: None  
ABSENT: Becerra  
ABSTAIN: None

- B. **Zoning Ordinance Amendment 2017-01 (City of Farmersville).** *An amendment to the Zoning Ordinance to require a Conditional Use Permit for future buildings with metal siding in commercial zones.*

Mr. Schoettler gave the staff report and recounted the workshop the Commission held on this topic at the May meeting, where it appeared the Commission's preference was to require a Conditional Use Permit for future buildings with metal siding in commercial zones. He also explained that the proposed zoning amendment would prohibit metal buildings in the CC (Central Commercial) zone (that covers downtown Farmersville).

A motion was made by Commissioner Llamas, second by Commissioner Casas to adopt Resolution 2017-02. Voting was as follows:

AYES: Casas, Llamas, Luna, Reyes

NOES: None

ABSENT: Becerra

ABSTAIN: None

7. New Business

- A. **Extension of Tentative Subdivision Map 2014-01 (Trujillo)**. *A request for an extension of time for Tentative Subdivision Map 2014-01 - a 20-lot subdivision proposed on the south side of Petunia Street, west of Farmersville Blvd.*

Mr. Schoettler gave the staff report, explaining that the applicant is very close to completing the final map for the project. Commissioner Casas stated he believes a neighborhood park should be required within the subdivision. Mr. Schoettler explained that this was not required of the tentative map and that the developer still will be required to pay the City's park impact fee for each home that is built. The City banks these funds and puts them toward construction of new parks in designated locations.

After further discussion a motion was made by Commissioner Llamas, second by Commissioner Reyes to approve Resolution 2017-03. Voting was as follows:

AYES: Casas, Llamas, Luna, Reyes

NOES: None

ABSENT: Becerra

ABSTAIN: None

8. Old Business

- A. **Review of the 2025 Farmersville General Plan**. *The City Planner will begin reviewing results of the General Plan.*

Mr. Schoettler reviewed population projections from the General Plan and compared those with actual population growth since 2002 - noting that actual growth has been about 1/2 what was projected in the General Plan. He also reviewed land consumption rates, noting the City has an adequate supply of available undeveloped land to accommodate growth expected to occur through

the remainder of the Plan (the year 2025). Mr. Schoettler noted that at the next meeting the Commission will begin reviewing progress on the Plan's goals, objectives and action plans.

- B. **Review of Planning Commission Guidebook.** *The City Planner will give an orientation on roles and responsibilities of the Planning Commission.*

Mr. Schoettler reviewed the Planning Commission guidebook and covered a variety of issues, including permit types, what the Commission should focus on with specific projects, the difference between parcel maps and subdivision maps, environmental review, code enforcement and tips for being an effective Commissioner, among others.

Commissioner Llamas asked what happens when there are only four members present and there is a tie vote. Mr. Schoettler explained that a tie vote constitutes a "no" vote. In that case an applicant would likely need to appeal the Commission's action to the City Council. Alternately, the item could be continued to the next Planning Commission when the full Commission is present.

Commissioner Reyes asked if the City requires fire hydrants for new subdivisions. Mr. Schoettler explained there is a standard that fire hydrants must be placed so that no structure is further than a certain distance from hydrants (usually related to the length of fire hoses). The Fire Department applies this standard during project review and construction of the subdivision.

9. **Director's Comments, Commissioner Comments.** No comments were offered.
10. **Adjournment.** A motion as made by Commissioner Reyes, second by Commissioner Casas to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 7:30 pm.

**FARMERSVILLE PLANNING COMMISSION**

**STAFF REPORT**

**Date:** July 27, 2017  
**To:** Farmersville Planning Commission  
**From:** Karl Schoettler, Planning Consultant  
**Subject:** Conditional Use Permit 2017-01 (Pena (138 W. Visalia Road))

**Summary/Recommendation**

The request is to allow the establishment of a mobile food truck at an existing convenience store and gas station located at 138 W. Visalia Road. It is recommended the Planning Commission consider the staff report and any public testimony offered, and approve the application by adopting Resolution 2017-04.

**Discussion/Analysis**

The applicant is seeking approval to establish a mobile food truck to be parked in the parking lot of the existing convenience market on the northwest corner of Visalia Road and Farmersville Boulevard (see Map 1 (location) and Map 2 (aerial photo)).

The site is zoned CG (General Commercial) and mobile food trucks are permitted by Conditional Use Permit in Farmersville's commercial and industrial zones. The most recent Planning Commission approval for a food truck was in 2013 for a truck at El Agave nightclub at the southwest corner of Farmersville Blvd. and Front Street.

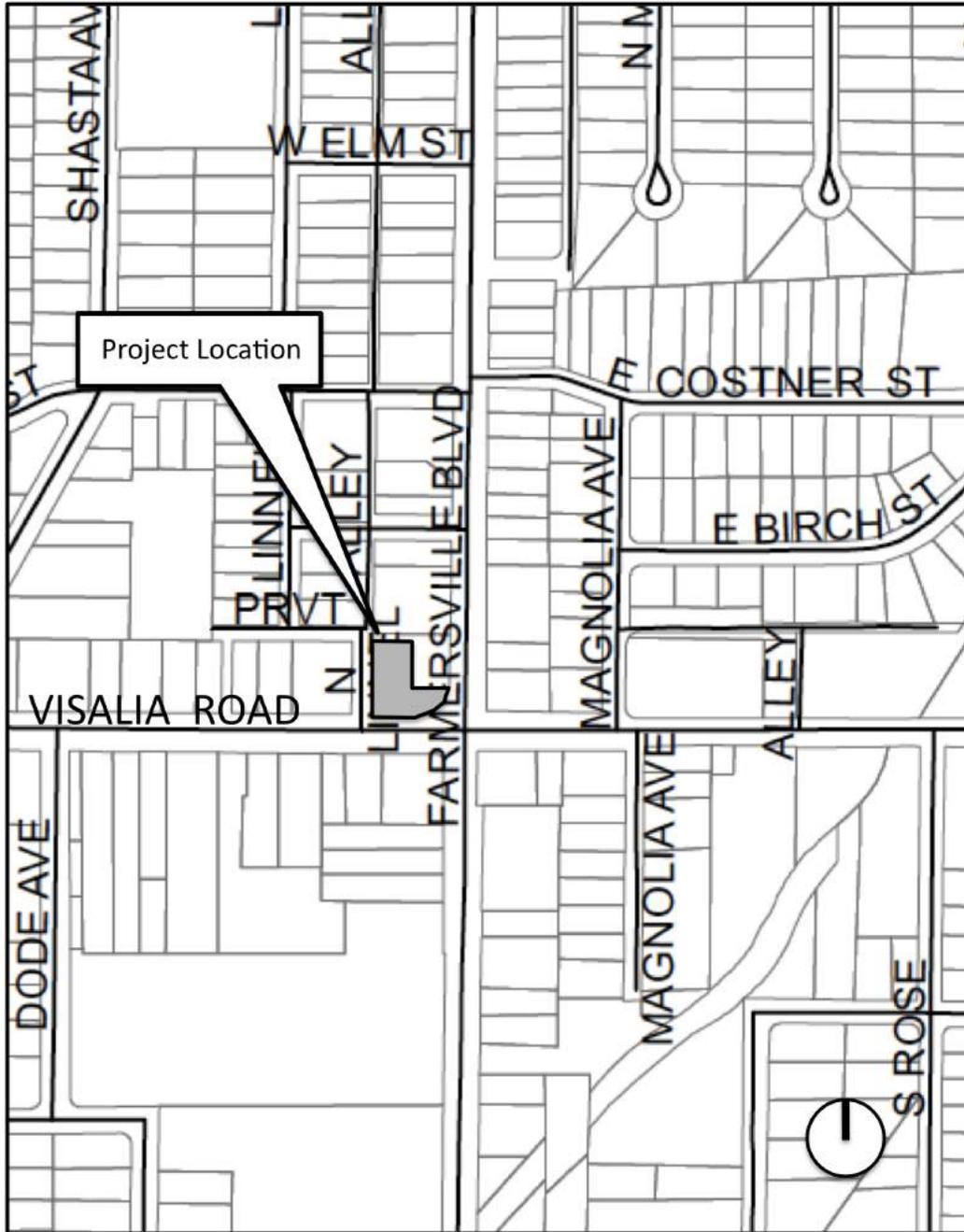
The applicant intends to park their truck up to seven days per week from 9 am to 4 pm. Up to four persons will staff the truck. The truck can use its own power for electricity or plug into the convenience store. The business will put out 2-3 tables with chairs for customers, and will have trash cans that will be emptied at the end of each day.

The truck will be parked toward the southeast corner of the parking lot (up against the intersection of Visalia Road and Farmersville Boulevard. The truck and tables must be positioned so as not to block traffic flow through the parking lot and to the gas pumps.

The truck has a permit from the Tulare County Environmental Health Department to serve food and beverages. This permit must be renewed annually, and the business is subject to surprise inspections by the County, to ensure food safety.

It is recommended that no signage (in addition to what is painted on the truck) be allowed and that no blinking or flashing signs be permitted.

Map 1: *Project Location*



**Report to Farmersville Planning Commission (7/26/2017)**  
**Conditional Use Permit 2017-01 (Pena)**

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**Map 2: Aerial Photo of Site**



With conditions of approval in the attached resolution, it is recommended the Commission approve the Conditional Use Permit.

**Report to Farmersville Planning Commission (7/26/2017)**  
**Conditional Use Permit 2017-01 (Pena)**

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**BACKGROUND**

Applicant: Susana Pena  
2130 June Court  
Farmersville, CA 93223

Site Owner: Parehotam L. Joshi  
138 W. Visalia Road  
Farmersville, CA 93223

Location: The subject site is located on the northwest corner of Farmersville Boulevard and Visalia Road. The Assessor Parcel Number is 128-073-016.

Request: The applicant is requesting approval to establish a mobile food truck for serving of food and beverages at the parking lot of the existing PJ Express Mart.

Site/Land

Use: The site is developed with a convenience market and gas station.

Surrounding land uses are as follows:

North: Parking lot and market  
South: Convenience store and gas station  
East: Convenience store and gas station  
West: Tire shop

Zone: The site is currently zoned C-G (General Commercial). This zone permits a wide variety of retail commercial uses, offices, restaurants and similar uses.

Surrounding zone classifications are as follows:

North: CC (Central Commercial)  
South: CG (General Commercial)  
West: CG (General Commercial)  
East: CG (General Commercial)

General Plan: The site is designated "General Commercial" by the Land Use Element of the 2025 Farmersville General Plan.

Access: Access to the site is provided by Visalia Road and 1<sup>st</sup> Street. Visalia Road is classified as an Arterial street and features two lanes in each direction, along

**Report to Farmersville Planning Commission (7/26/2017)**  
**Conditional Use Permit 2017-01 (Pena)**

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with curbs, gutters and sidewalks. The intersection of Farmersville Blvd and Visalia Road is controlled with a traffic signal.

1<sup>st</sup> Street is a short local street on the west side of the site featuring one travel lane and one parking lane in each direction, along with curbs gutters and sidewalks. The intersection of 1<sup>st</sup> Street and Visalia Road is controlled with a stop sign for southbound traffic on 1<sup>st</sup> Street.

Infrast.: The site is currently served with City water, sewer and storm drainage lines.

Services: Police and fire protection are provided by the City of Farmersville.

Environmental: The project is considered to be exempt from review under the California Environmental Quality Act (CEQA).

History The Planning Commission granted a Conditional Use Permit in July 2016 for the convenience store to reopen and sell alcoholic beverages for off-site consumption. After securing their permit from the State of California Department of Alcoholic Beverage Control, the store resumed operations several months ago.

The Planning Commission has approved several food trucks in other locations in the past; the most recent was a food truck located at the El Agave night club at 811 N. Farmersville Boulevard.

**RESOLUTION 2017-04**

**BEFORE THE PLANNING COMMISSION  
CITY OF FARMERSVILLE  
COUNTY OF TULARE, STATE OF CALIFORNIA**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF  
FARMERSVILLE APPROVING CONDITIONAL USE PERMIT 2017-01 (PENA) FOR  
THE ESTABLISHMENT/OPERATION OF A MOBILE FOOD TRUCK AT AN  
EXISTING CONVENIENCE STORE.**

WHEREAS, a Conditional Use Permit was requested by Susana Pena, 2130 N. June Ct. Farmersville, CA 93223 to establish and operate a mobile food truck to serve food and beverages in the parking lot of an existing convenience market located at 138 W. Visalia Road, on the northwest corner of Visalia Road and Farmersville Boulevard. The Assessor Parcel Number is 128-073-018, and

WHEREAS, the proposed mobile food vehicle will operate up to seven days per week, from 9am to 4pm, and

WHEREAS, property owners within 300 feet of the subject site were notified of the meeting and a public hearing notice was published ten (10) days prior to the Planning Commission's meeting, and

WHEREAS, the Planning Department has prepared a staff report and environmental finding, and

WHEREAS, it has been determined that the project is categorically exempt from review under the California Environmental Quality Act, and

WHEREAS, the Planning Commission held a public hearing on this Conditional Use Permit and accepted testimony.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, after considering all the evidence presented, determined the following findings were relevant in evaluating this request:

1. The project is consistent with the Farmersville General Plan and the Farmersville Zoning Ordinance.

2. The project will not have a significant impact on the environment and is categorically exempt under Section 15301(a) of the Guidelines of the California Environmental Quality Act.

Farmersville Planning Commission  
Resolution 2017-04  
Conditional Use Permit 2017-01 (Pena)

3. The project will not have an adverse impact on the health, safety and welfare of residents in the neighborhood or community.

NOW, THEREFORE BE IT RESOLVED THAT Conditional Use Permit 2017-01 is approved subject to the following conditions:

- 1 Prior to the City granting a business license, the applicant shall secure and maintain a permit from the Tulare County Department of Environmental Health.
- 2 Operation of the mobile food truck shall be limited to seven days per week, from 9:00 am to 4:00 pm. No alcoholic beverages may be served.
- 3 The applicant shall maintain a restaurant-grade fire extinguisher with the vehicle.
- 4 The vehicle (and any tables/chairs, etc.) shall not obstruct the sidewalk or driveway, gas pumps or general circulation pattern on the site. Further, the truck and associated equipment shall not be parked in existing parking spaces on the site.
- 5 The area around the food truck shall be sufficiently lighted to prevent tripping hazards. Any power cords shall be sufficiently covered to reduce the chance of tripping.
- 6 The site shall be maintained in a clean, dust free, litter and weed-free fashion. A trash receptacle shall be kept by the food truck during hours of operation. Any litter/trash shall be picked up and the trash can emptied each night following operations.
- 7 No signs shall be established other than signage that is painted on the truck. No electronic or lighted signs that flash, scroll or blink shall be allowed.
- 8 Maximum noise levels at property lines shall not exceed 65 decibels.
- 9 Any significant change of operations or expansion of the use shall require a modification of the Conditional Use Permit and a public hearing before the Planning Commission.
- 10 The proposed use shall be established within one year of the Planning Commission's approval, or the permit shall become null and void. A one year extension of the approval may be requested in writing.

Farmersville Planning Commission  
Resolution 2017-04  
Conditional Use Permit 2017-01 (Pena)

The foregoing resolution was adopted upon a motion of Commissioner \_\_\_\_\_, second by Commissioner \_\_\_\_\_, at a regular meeting of the Farmersville Planning Commission on the 26th of July, 2017, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Chairperson, Farmersville Planning Commission

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Secretary, Farmersville Planning Commission

**FARMERSVILLE PLANNING COMMISSION**

**STAFF REPORT**

**Date:** July 26, 2017  
**To:** Farmersville Planning Commission  
**From:** Karl Schoettler, Planning Consultant  
**Subject:** Workshop on Zoning Ordinance Amendment on Accessory Dwelling Units

**Recommendation**

It is recommended that the Planning Commission consider information in this report regarding recent state laws on Accessory Dwelling Units, and provide direction to staff on preparation of a local ordinance.

**Discussion**

In 2016 the State legislature adopted several laws regarding accessory dwelling units. These are second dwellings that cities are required to allow on lots (primarily that are zoned for single family homes) subject to certain restrictions.

In Farmersville these regulations apply to parcels within the R-1 zone (and multi family zones that have single family homes). The City already has a Second Dwelling Unit ordinance that was adopted in 2011 (as a result of previous State legislation) but the 2016 State laws require cities to remove or reduce some regulations.

The purpose of the State's second unit laws is to promote the development of affordable housing. California has some of the least affordable housing in the nation (though that is an issue mainly along the coast and major cities (Los Angeles, San Francisco, San Diego, etc.)). Second dwelling units are an opportunity for the creation of affordable housing, for several reasons, including:

- Small size of the unit, reducing construction costs;
- The land is already purchased;
- Utilities are already present;
- Covered parking is not required

Depending on the size of the building, second dwellings typically have a bedroom, bathroom, small kitchen, sitting room, etc. Second units can be either attached (or part of) the primary dwelling, or a detached, free-standing structure.

**Report to Farmersville Planning Commission (7/19/2017)**  
**Workshop on Accessory Dwelling Units**

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Staff has reviewed the new State laws and how they might affect Farmersville's second dwelling unit ordinance. Fortunately, it appears that changes that are needed will not be extensive. Key changes will include:

- The size of an **attached** accessory dwelling unit may be up to 50% of the area of the primary dwelling, not to exceed 1,200 square feet. As an example, a lot with a primary dwelling containing 2,000 square feet may have an accessory dwelling unit up to 1,000 square feet. Farmersville's existing ordinance limits an attached second dwelling to no more than 30% of the floor area of the primary dwelling. In the foregoing example, a second unit could only be up to 600 square feet.
- The maximum size of a **detached** accessory dwelling unit will be reduced from 1,300 square feet (in the current ordinance) to 1,200 square feet. It should be noted that all second dwellings (attached and detached) must comply with other zoning requirements, like yard setbacks and building height.
- In the City's current second unit ordinance, one on-site parking space must be provided for an accessory dwelling. The new State law stipulates that for **attached** accessory dwelling units the City can no longer require additional parking. For detached second units the City can still require one on-site parking space (normally space within an existing driveway can be counted).
- State law now requires fire sprinklers for all new dwellings, however the new law provides that if fire sprinklers were not required for the primary dwelling, then they cannot be required for the accessory dwelling. This means that an accessory dwelling proposed on a lot where the primary dwelling was built before 2012 does not have to include fire sprinklers.
- The new law provides that the City cannot charge utility impact fees for new **attached** accessory dwellings, and for detached accessory dwellings these fees must be commensurate with the impact being created. This is not an issue for the Planning Commission to decide (fees are acted on only by the City Council) but is provided for the Commission's information.
- The City's existing ordinance requires that the owner of the property live in one of the units. The new State law prohibits this requirement.
- The term "Second Dwelling Unit" will be amended to "Accessory Dwelling Unit" throughout the ordinance.

The table below summarizes key requirements of the City's second dwelling ordinance and notes where the new State law will require changes.

**Report to Farmersville Planning Commission (7/19/2017)**  
**Workshop on Accessory Dwelling Units**

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Comparison of Existing Farmersville Second Unit Ordinance with New State Requirements

Standard	Existing Ordinance	New State law standards
Type of Construction	Allows "stick built" buildings and manufactured homes but not mobile homes, trailer or recreational vehicles	No change
Minimum lot size	A lot must contain at least 6,000 square feet to be considered for a second dwelling	The City cannot apply a minimum lot size standard for accessory units that are created within the footprint of the existing primary dwelling.
Setbacks (yards)	Second dwellings must meet all setback requirements in the R-1 zone: <u>Front yard:</u> 25 feet <u>Side yards:</u> - <u>Interior lots:</u> 5 feet - <u>Corner lots:</u> 10 feet on street side yard <u>Rear yards:</u> 10 feet <u>Distance between structures on same lot:</u> 10 feet	No change
Building Height:	18 feet, maximum. Two story/25 feet dwellings are allowed by Conditional Use Permit. Second units may not exceed the height of the primary dwelling.	No change
Unit size	A detached second unit may be up to 1,300 square feet; An attached second unit may be up to 30% of floor area of the primary dwelling.	A detached second unit may be up to 1,200 square feet; An attached second unit may be up to 50% of floor area of the primary dwelling, up to 1,200 square feet, whichever is less
Parking	One space is required per secondary unit. May be tandem parking	One space may be required for a detached accessory dwelling; No spaces may be required for attached accessory dwellings. The State encourages cities to wave parking for all types of accessory units
Architectural appearance	Second unit must be similar in appearance to primary dwelling, including siding, windows, roofing, color, etc.	No change

**Report to Farmersville Planning Commission (7/19/2017)**  
**Workshop on Accessory Dwelling Units**

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Standard	Existing Ordinance	New State law standards
Building code	Second units must comply with building, fire, health and safety codes	Second units must comply with all codes, except that fire sprinklers cannot be required of an accessory dwelling if they were not required of the primary dwelling.
Occupancy	The owner of the property must reside in either the primary or secondary dwelling	The City cannot require the owner to live on the property.
Access	Exterior doorway on a second dwelling must not be visible from the street	No change
Utilities	Second unit shall be provided with water and sewer service	No change
Garage Conversion	A garage may be converted into a second unit only when the number of parking spaces are replaced elsewhere (within the buildable portion of the property) with covered parking	No change.
Illegal units	An illegal unit being used as a second dwelling may be legalized only if it conforms (or can be brought into conformance) with all codes.	No change, except that a garage being used as a second dwelling cannot be required to comply with setback requirements.
Permit process	Building permit is required	No change

Conclusion

Staff will prepare necessary amendments to Farmersville's existing second unit ordinance and schedule a public hearing in the near future for adoption.