



# FARMERSVILLE CITY COUNCIL

## MEETING AGENDA

**February 9, 2026 6:00 PM**  
City Hall, 909 W. Visalia Rd.  
Farmersville, California 93223

Mayor  
Tina Hernandez  
Mayor Pro Tem  
Araceli Ochoa  
Council Members  
Gregorio Gomez  
Paul Boyer  
Danny Valdavinosa

Pending no technical difficulties, the City Council meeting will also be streamed (for observation only) via Zoom and accessed as follows:  
Please dial 1-669-900-6833  
Meeting ID: 812 3164 3066  
Password: 689312

---

Notice is hereby given that the Farmersville City Council will hold a Regular Meeting on Monday, February 9, 2026 at 6:00 p.m. in person at City Hall located at 909 W. Visalia Rd. in Farmersville California, 93223.

Staff Reports related to items on the agenda are available on the City's website at <https://www.cityoffarmersville-ca.gov/> and available for viewing at City Hall.

### A. CALL TO ORDER SESSION REGULAR COUNCIL MEETING

### B. ROLL CALL

### C. INVOCATION

*Presented by Mayor Hernandez*

### D. PLEDGE OF ALLEGIANCE

*Led by Mayor Hernandez*

### E. APPROVAL OF AGENDA

### F. PUBLIC COMMENTS

The public is invited to comment on any subject under the jurisdiction of the Farmersville City Council. Please note that speakers that wish to comment on a Regular Item or Public Hearing on tonight's agenda will have an opportunity to speak when public comment for that item is requested by the Mayor. Comments shall be limited to two (2) minutes per person, with twenty (20) minutes for the total comment period, unless otherwise indicated by the Mayor.

The public may also choose to submit a comment before the meeting via email. Public comments received via email will be distributed to the Council prior to the start of the meeting and incorporated into the official minutes; however, they will not be read aloud. Under state law, matters presented under public comment cannot be acted upon by the Council at this time.

## **G. SPECIAL PRESENTATIONS**

1. Proclamation - Ricardo Maldonado
2. Proclamation - Team KO
3. Introduction of New Employee - Nicole Little
4. GRID Alternatives Presentation

## **H. CONSENT CALENDAR**

Items listed under the Consent Calendar are considered routine and will be enacted by one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.

1. Approval of January 26, 2026, regular meeting minutes.
2. Approval of Monthly Investment Report November and December 2025.
3. Waive the Second Reading and Adopt Ordinance No. 536 - A comprehensive update of the Farmersville Zoning Ordinance.
4. Approval and Adoption of Resolution No. 2026-001, A Resolution for the Fiscal Year 2025-26 Transportation Development Act Claim by the City of Farmersville and Concurrence to a Claim by City of Visalia, Tulare County Regional Transit Agency, and Tulare County Association of Governments (TCAG).

## **I. ACTION ITEMS**

Comments related to Action and Public Hearing Items are limited to two (2) minutes per speaker, for a maximum of 20 minutes per item. The Mayor may reasonably limit or extend the public comment period to preserve the Council's interest in conducting efficient, orderly meetings.

None

## **J. PUBLIC HEARINGS**

1. Adoption of Resolution No. 2026-002 Authorizing Submission of an Application for 2025 Community Development Block Grant (CDBG) Funding.
2. Adoption of Resolution No. 2026-003 Authorizing the Submission of a Five-Year Plan Amendment Application, and Acceptance and Appropriation of Permanent Local Housing Allocation (PLHA) Grant Funds from the State of California for Year 4 (2022) and Year 5 (2023).

## **K. DISCUSSION ITEMS**

1. Discussion and Direction on Proposed Farmers Market in the City of Farmersville.
2. FEMA Update - Information on Letter of Map Revision (LOMR).
3. Discussion of Estimated City Staffing and Resource Costs for Community Events.

## **L. COUNCIL REPORTS**

**M. CITY MANAGER/DEPARTMENT COMMUNICATIONS**

**N. GENERAL BUSINESS**

Council members may raise issues, request future agenda items, or provide comments regarding City business.

**O. FUTURE AGENDA ITEMS**

Description	Responsible Party	Agenda Date
Senior Housing-Gardenia Apts.	City Manager	TBD
Sewer DIF	City Manager	TBD
Homelessness Fire Hazard	City Manager	TBD
Environmental Safety Guidelines	City Manager	TBD
Sign Ordinance	Fire Chief	TBD
Potential Solar Project	City Manager	TBD
Potential AI Solutions	City Manager	TBD

**P. EXECUTIVE (CLOSED) SESSION**

1. Conference with Legal Counsel - Anticipated Litigation  
(Gov. Code 54956.9(d)(2) - Significant exposure to litigation.  
Number of cases: 1

**Q. REGULAR MEETING ADJOURNMENT**

State of California            )  
County of Tulare            ) ss.  
City of Farmersville        )

I declare under penalty of perjury that I am employed by the City of Farmersville, in the City Manager's Office; and that I posted this Agenda on the bulletin board outside of City Hall, 909 W. Visalia Rd. Farmersville, CA 93223 on Feb 6, 2026 and online on the City of Farmersville website: <https://www.cityoffarmersville-ca.gov/>.

---

Rochelle Giovani , City Clerk

In compliance with the Americans with Disabilities Act, and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the City Clerk (559)747-0458. Notification prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting and/or provision of an appropriate alternative format of the agenda and documents in the agenda packet. (28 CFR 35.102-35. 104 ADA Title II).

Materials related to an item on this Agenda submitted to the legislative body after distribution of the agenda packet are available for public inspection at Farmersville City Hall, 909 W. Visalia Rd., Farmersville CA 93223 during normal business hours.



# FARMERSVILLE CITY COUNCIL

## MEETING AGENDA

**January 26, 2026 6:00 PM**  
City Hall, 909 W. Visalia Rd.  
Farmersville, California 93223

Mayor  
Tina Hernandez  
Mayor Pro Tem  
Araceli Ochoa  
Council Members  
Gregorio Gomez  
Paul Boyer  
Danny Valdovinos

Pending no technical difficulties, the City Council meeting will also be streamed (for observation only) via Zoom and accessed as follows:  
Please dial 1-669-900-6833  
Meeting ID: 890 1494 0651  
Password: 705225

---

Notice is hereby given that the Farmersville City Council will hold a Regular Meeting on Monday, January 26, 2026 at 6:00 p.m. in person at City Hall located at 909 W. Visalia Rd. in Farmersville California, 93223.

Staff Reports related to items on the agenda are available on the City's website at <https://www.cityoffarmersville-ca.gov/> and available for viewing at City Hall.

### **A. CALL TO ORDER STUDY SESSION- 5:00 pm.**

Farmersville Zoning Ordinance

### **B. ROLL CALL**

*Mayor Tina Hernandez*  
*Mayor Pro Tem Araceli Ochoa*  
*Councilmember Greg Gomez- arrived at 5:31 pm.*  
*Councilmember Paul Boyer*  
*Councilmember Danny Valdovinos*

### **C. CALL TO ORDER SESSION REGULAR COUNCIL MEETING 6:11pm.**

### **D. ROLL CALL**

*Mayor Tina Hernandez*  
*Mayor Pro Tem Araceli Ochoa*  
*Councilmember Greg Gomez- arrived at 5:31 pm.*  
*Councilmember Paul Boyer*  
*Councilmember Danny Valdovinos*

### **E. INVOCATION**

*Presented by Mayor Hernandez*

### **F. PLEDGE OF ALLEGIANCE**

*Led by Mayor Hernandez*

### **G. APPROVAL OF AGENDA**

**Council Action:** *It was motioned by Councilmember Boyer, seconded by Councilmember Valdovinos and approved with a 5-0 vote.*

#### **H. PUBLIC COMMENTS**

The public is invited to comment on any subject under the jurisdiction of the Farmersville City Council. Please note that speakers that wish to comment on a Regular Item or Public Hearing on tonight's agenda will have an opportunity to speak when public comment for that item is requested by the Mayor. Comments shall be limited to two (2) minutes per person, with twenty (20) minutes for the total comment period, unless otherwise indicated by the Mayor.

The public may also choose to submit a comment before the meeting via email. Public comments received via email will be distributed to the Council prior to the start of the meeting and incorporated into the official minutes; however, they will not be read aloud. Under state law, matters presented under public comment cannot be acted upon by the Council at this time.

*None given*

#### **I. SPECIAL PRESENTATIONS**

None

#### **J. CONSENT CALENDAR**

Items listed under the Consent Calendar are considered routine and will be enacted by one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.

1. Approval of January 12, 2026, regular meeting minutes
2. Approval of Warrant Registers for December 2025

*Councilmember Boyer abstained from voting on all warrants related to Self Help Enterprises.*

**Council Action:** *It was motioned by Councilmember Boyer, seconded by Councilmember Valdovinos and approved with a 5-0 vote.*

#### **K. ACTION ITEMS**

Comments related to Action and Public Hearing Items are limited to two (2) minutes per speaker, for a maximum of 20 minutes per item. The Mayor may reasonably limit or extend the public comment period to preserve the Council's interest in conducting efficient, orderly meetings.

None

#### **L. PUBLIC HEARINGS**

1. Introduce and conduct first reading, waive reading in full, Ordinance No. 563 adopting a comprehensive update of the Farmersville Zoning Ordinance.

*Mayor Hernandez opened the public comment at 6:20 pm and closed it at 6:20 pm.*

*With revisions as recommended by Councilmember Boyer on Attachment 4 and California Housing Defense Fund as discussed and directed by the Council, and to waive further readings. Motion was made by Councilmember Boyer and Seconded by Councilmember Gomez and approved with a 5-0 vote.*

#### **M. DISCUSSION ITEMS**

None

#### **N. COUNCIL REPORTS**

*Councilmembers reported on recent events and activities. Comments were informational only, and no action was taken.*

#### **O. CITY MANAGER/DEPARTMENT COMMUNICATIONS**

*The City Manager reported on recent events and discussed items of interest. Comments were informational only, and no action was taken.*

#### **P. FUTURE AGENDA ITEMS**

<b>Description</b>	<b>Responsible Party</b>	<b>Agenda Date</b>
Senior Housing-Gardenia Apts.	City Manager	TBD
Sewer DIF	City Manager	TBD
Homelessness Fire Hazard	City Manager	TBD
Environmental Safety Guidelines	City Manager	TBD
Sign Ordinance	Fire Chief	TBD
Potential Solar Project	City Manager	TBD
Potential AI Solutions	City Manager	TBD

*Mayor Hernandez adjourned to closed session at 6:41 pm.*

#### **Q. EXECUTIVE (CLOSED) SESSION**

1. Conference with Legal Counsel - Anticipated Litigation  
(Gov. Code 54956.9(d)(2) - Significant exposure to litigation.  
Number of cases: 1

Forensic audit regarding City financial records

*Nothing to report.*

*Mayor Hernandez adjourned closed session at 9:44 pm.*

*Mayor Hernandez adjourned the Council meeting at 9:44 pm.*

## **R. REGULAR MEETING ADJOURNMENT**

State of California            )  
County of Tulare             ) ss.  
City of Farmersville         )

I declare under penalty of perjury that I am employed by the City of Farmersville, in the City Manager's Office; and that I posted this Agenda on the bulletin board outside of City Hall, 909 W. Visalia Rd. Farmersville, CA 93223 on Jan. 23, 2026 and online on the City of Farmersville website: <https://www.cityoffarmersville-ca.gov/>.

---

Rochelle Giovani , City Clerk

In compliance with the Americans with Disabilities Act, and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting, or to be able to access this agenda and documents in the agenda packet, please contact the City Clerk (559)747-0458. Notification prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting and/or provision of an appropriate alternative format of the agenda and documents in the agenda packet. (28 CFR 35.102-35.104 ADA Title II).

Materials related to an item on this Agenda submitted to the legislative body after distribution of the agenda packet are available for public inspection at Farmersville City Hall, 909 W. Visalia Rd., Farmersville CA 93223 during normal business hours.



# STAFF REPORT

TO: Farmersville City Council  
MEETING DATE: February 9, 2026

Item #: 2  
Consent

---

**DEPARTMENT:** Finance

**FROM:** Finance Director Anthony Loza

**AGENDA TITLE:** Presentation of Monthly Investment Report pursuant to Government Code Sections 53607 and 53646

---

## ACTION & RECOMMENDATION

No action required. Staff recommends that the Council receive the Monthly Investment Reports, and direct staff as necessary.

## BACKGROUND | ANALYSIS

Pursuant to the City's Investment policy, the Chief Financial Officer (Finance Director) shall prepare an investment report monthly, according to California government code section 53607 and 53646(b) relative to the investment holdings and investment activity of the City.

Included with this item is a copy of the monthly investment reports for November 2025 and December 2025 which provide the following information for months ending 11/30/2025 and 12/31/2025:

- 1) Listing of individual securities held at the end of the reporting period including type, acquisition cost and market value.
- 2) Realized and unrealized gains or losses resulting from appreciation or depreciation by listing the cost and market value of securities over one-year duration.
- 3) Current yield on investments.
- 4) Percentage of the total portfolio which each type of investment represents.

California CLASS has been updated on the attached reports for November and December 2025, as it had been inadvertently omitted from prior reports earlier in the fiscal year. No changes were made to the investment fund during this period, other than the posting of interest earnings.

The Chief Financial Officer routinely reviews investments in conjunction with the City's investment policy objectives to achieve a market rate of return, while limiting risk and preserving capital. Return on pooled investments are generally reported quarterly. The yield and interest are accounted for in this report based on the most recent data provided to the City.

## FISCAL IMPACT

Managing the City's investments in accordance with the City's investment policy is a statutory requirement and is fiscally responsible. This monthly report provides transparency and accountability to the City and its residents.

Reviewed/Approved: 



**CITY OF FARMERSVILLE**  
**Treasurers Report November 2025**

*Monthly Transaction Report as prescribed by Government Code Section 53607 & 53646(b) and the City of Farmersville Investment Policy*

Investment Manager	Investment Type	Issuer	Purchases	Redemptions	Maturity Date	Par Value	Balances as of		% of Portfo
							11/30/2025	Current Value	
Citizens Business Bank (CBB)	Money Mkt/Sweep	CBB	\$ 4,842.67	\$ 1,000,000.00	Liquid	\$ 1,318,138.53	\$ 1,318,139.53	0.55%	15.26%
California Asset Management Program (CAMP)	Pool	CAMP	\$ -	\$ -	Liquid	\$ 1,240,349.15	\$ 1,240,349.15	4.10%	14.36%
Local Area Investment Fund (LAIF)	Pool	LAIF	\$ 8,879.78	\$ -	Liquid	\$ 78,011.99	\$ 78,011.99	4.10%	0.90%
CALIFORNIA CLASS	Pool	CLASS	\$ -	\$ -	Multiple	\$ 2,684,284.86	\$ 2,684,284.86	4.04%	31.07%
Cetera Wealth Services (TVI)	Money Mkt	Dreyfus Gov't Cash	\$ -	\$ -	Liquid	\$ -	\$ -	3.61%	0.00%
Cetera Wealth Services (TVI)	Bank Deposit	Cetera	\$ 10,418.44	\$ -	Liquid	\$ 164,249.11	\$ 164,249.11	0.00%	1.90%
Cetera Wealth Services (TVI)	Certificate of Deposit	Ally Bank	\$ -	\$ -	5/19/2026	\$ 247,000.00	\$ 246,214.54	3.16%	2.85%
Cetera Wealth Services (TVI)	Certificate of Deposit	American Express	\$ -	\$ -	10/2/2029	\$ 245,000.00	\$ 243,150.25	3.62%	2.81%
Cetera Wealth Services (TVI)	Certificate of Deposit	Bankers Bank	\$ -	\$ -	5/24/2028	\$ 249,000.00	\$ 251,512.41	4.10%	2.91%
Cetera Wealth Services (TVI)	Certificate of Deposit	1st Financial Bank	\$ -	\$ -	11/1/2027	\$ 249,000.00	\$ 251,437.71	4.20%	2.91%
Cetera Wealth Services (TVI)	Certificate of Deposit	Spirit Bank	\$ -	\$ -	1/31/2029	\$ 249,000.00	\$ 250,516.41	3.92%	2.90%
Cetera Wealth Services (TVI)	Certificate of Deposit	Toyota Financial	\$ -	\$ -	12/16/2026	\$ 247,000.00	\$ 240,676.80	1.28%	2.79%
Cetera Wealth Services (TVI)	U.S. Treasuries	U.S. Treasury	\$ -	\$ -	2/28/2026	\$ 250,000.00	\$ 247,937.50	0.50%	2.87%
Cetera Wealth Services (TVI)	U.S. Treasuries	U.S. Treasury	\$ -	\$ -	4/30/2028	\$ 552,000.00	\$ 523,560.96	1.31%	6.06%
Cetera Wealth Services (TVI)	U.S. Treasuries	U.S. Treasury	\$ -	\$ -	5/31/2026	\$ 400,000.00	\$ 394,100.00	0.76%	4.56%
Cetera Wealth Services (TVI)	U.S. Treasuries	U.S. Treasury	\$ -	\$ -	9/30/2026	\$ 450,000.00	\$ 439,744.50	0.89%	5.09%
Cetera Wealth Services (TVI)	U.S. Treasuries	U.S. Treasury	\$ -	\$ -	11/30/2029	\$ 500,000.00	\$ 505,800.00	3.83%	5.85%
Cetera Wealth Services (TVI)	U.S. Bond	U.S. Treasury	\$ -	\$ -	8/15/2029	\$ 292,000.00	\$ 273,043.36	1.73%	3.16%
Cetera Wealth Services (TVI)	U.S. Bond	U.S. Treasury	\$ -	\$ -	3/12/2027	\$ 300,000.00	\$ 303,342.00	4.45%	3.51%
Cetera Wealth Services (TVI)	U.S. Bond	U.S. Treasury	\$ -	\$ -	11/15/2027	\$ 300,000.00	\$ 301,905.00	3.85%	3.49%
						<b>\$ 10,015,033.64</b>	<b>\$ 9,957,976.08</b>	<b>3.21%</b>	<b>Effective Yield</b>

1) Interest rate is determined quarterly

This monthly report accurately reflects all the City pooled investments. It is in conformity with the City's investment policy as amended. The City has sufficient cash flow to meet six months expenditures.

*Citizens Business Bank, Time Value Investments, Chandler Investment Management, and LAIF statements are the source for market values.*

\_\_\_\_\_  
 Anthony Loza, Treasurer

\_\_\_\_\_  
 Date



**CITY OF FARMERSVILLE**  
**Treasurers Report December 2025**

*Monthly Transaction Report as prescribed by Government Code Section 53607 & 53646(b) and the City of Farmersville Investment Policy*

Investment Manager	Investment Type	Issuer	Purchases	Redemptions	Maturity Date	Par Value	Balances as of		% of Portfolio
							12/31/2025	Current Value	
Citizens Business Bank (CBB)	Money Mkt/Sweep	CBB	\$	\$		\$ 2,355,154.35	\$ 2,355,154.35	0.55%	27.16%
California Asset Management Program (CAMP)	Pool	CAMP	\$ 4,156.70		Liquid	\$ 1,244,505.85	\$ 1,244,505.85	3.95%	14.35%
Local Area Investment Fund (LAIF)	Pool	LAIF	\$	\$	Liquid	\$ 78,011.99	\$ 78,011.99	4.03%	1
CALIFORNIA CLASS	Pool	CLASS	\$ 8,838.37		Multiple	\$ 2,693,123.23	\$ 2,693,123.23	3.88%	31.05%
Cetera Wealth Services (TVI)	Money Mkt	Dreyfus Gov't Cash	\$	\$	Liquid	\$	\$	3.61%	0.00%
Cetera Wealth Services (TVI)	Bank Deposit	Cetera	\$ 16,101.96	\$	Liquid	\$ 180,361.32	\$ 180,361.32	0.00%	2.08%
Cetera Wealth Services (TVI)	Certificate of Deposit	Ally Bank			5/19/2026	\$ 247,000.00	\$ 246,449.19	3.15%	2.84%
Cetera Wealth Services (TVI)	Certificate of Deposit	American Express			10/2/2029	\$ 245,000.00	\$ 243,089.00	3.62%	2.80%
Cetera Wealth Services (TVI)	Certificate of Deposit	Bankers Bank			5/24/2028	\$ 249,000.00	\$ 251,358.03	4.11%	2.90%
Cetera Wealth Services (TVI)	Certificate of Deposit	1st Financial Bank			11/1/2027	\$ 249,000.00	\$ 251,485.02	4.20%	2.90%
Cetera Wealth Services (TVI)	Certificate of Deposit	Spirit Bank			1/31/2029	\$ 249,000.00	\$ 250,197.69	3.93%	2.88%
Cetera Wealth Services (TVI)	Certificate of Deposit	Toyota Financial			12/16/2026	\$ 247,000.00	\$ 241,580.82	1.27%	2.79%
Cetera Wealth Services (TVI)	U.S. Treasuries	U.S. Treasury			2/28/2026	\$ 250,000.00	\$ 248,697.50	0.50%	2.87%
Cetera Wealth Services (TVI)	U.S. Treasuries	U.S. Treasury			4/30/2028	\$ 552,000.00	\$ 524,510.40	1.31%	6.05%
Cetera Wealth Services (TVI)	U.S. Treasuries	U.S. Treasury			5/31/2026	\$ 400,000.00	\$ 395,396.00	75.00%	4.56%
Cetera Wealth Services (TVI)	U.S. Treasuries	U.S. Treasury			9/30/2026	\$ 450,000.00	\$ 441,121.50	0.89%	5.09%
Cetera Wealth Services (TVI)	U.S. Treasuries	U.S. Treasury			11/30/2029	\$ 500,000.00	\$ 504,510.00	3.84%	5.82%
Cetera Wealth Services (TVI)	U.S. Treasuries	U.S. Treasury			8/15/2029	\$ 292,000.00	\$ 272,733.84	1.73%	3.14%
Cetera Wealth Services (TVI)	U.S. Bond	U.S. Treasury			3/12/2027	\$ 300,000.00	\$ 303,450.00	4.44%	3.50%
Cetera Wealth Services (TVI)	U.S. Bond	U.S. Treasury			11/15/2027	\$ 300,000.00	\$ 301,971.00	3.84%	3.48%
						\$ 11,081,156.74	\$ 11,027,706.73	6.51%	Effective Yield

1) Interest rate is determined quarterly

This monthly report accurately reflects all the City pooled investments. It is in conformity with the City's investment policy as amended. The City has sufficient cash flow to meet six months expenditures.

*Citizens Business Bank, Time Value Investments, Chandler Investment Management, and LAIF statements are the source for market values.*

\_\_\_\_\_  
 Anthony Loza, Treasurer

\_\_\_\_\_  
 Date



# STAFF REPORT

TO: Farmersville City Council  
MEETING DATE: February 9, 2026

Item #: 3  
Consent

---

**DEPARTMENT:** Planning

**FROM:** Karl Schoettler, City Planning Consultant

**AGENDA TITLE:** Second reading of Ordinance to adopt a Comprehensive Update of the Farmersville Zoning Ordinance

---

## ACTION & RECOMMENDATION

It is recommended the City Council conduct the second reading, waive reading in full, and adopt Ordinance 563 adopting a comprehensive update of the Farmersville Zoning Ordinance (Title 17 of the Farmersville Municipal Code).

## BACKGROUND | ANALYSIS

On January 26, 2026 the City Council conducted a first reading of Ordinance No. 563 to approve a comprehensive update of the Farmersville Zoning Ordinance.

The City Planner has been working with the Planning Commission on this comprehensive update of the zoning code for the past several years. The update is intended to achieve the following:

- Ensuring the ordinance is legally sound and consistent with State housing and zoning laws including laws on Accessory Dwelling Unit requirements;
- Simplify and clarify complicated planning permit processes;
- Implement policies of the Dinuba General Plan, including promoting walkable neighborhoods by incorporating smart-growth and form-based zoning standards and mechanisms;
- Revising, updating and clarifying permitted use lists in each zone district;
- Updating definitions and terminology;
- Adding new zones where desired.
- Eliminating unused zone districts;
- Updating standards pertaining to specific issues like fencing, parking, accessory uses and structures, etc.;
- Making the Ordinance more user-friendly through the addition of tables and graphic illustrations of complex zoning standards;
- Eliminating unneeded and repetitious sections of the Zoning Ordinance;
- Correcting other problem issues identified by staff, Commission, etc.

Several amendments were made to the ordinance resulting from a meeting with Councilmember Boyer and these are summarized within Attachment "2".

In addition, the housing advocacy group CalHDF submitted a letter on the afternoon of January 26, requested several additional amendments to those sections of the ordinance that regulate Accessory Dwelling Units (ADU's). The consultant has reviewed the letter and input several changes to the code, as shown in Section 17.41.090 (Special Uses (Accessory Dwelling Units)). Among others, these changes include clarification of the number of ADU's permitted on single family lots, elimination of restriction of owner-occupancy for lots with a

Junior ADU (that has its own bathroom) and clarification of zoning standards that apply to "State Exempt" ADU's, among other technical and cleanup amendments.

### **ENVIRONMENTAL REVIEW**

The code update has been reviewed and determined to be exempt from review for potential environmental impacts, consistent with Section No. 15061 (b) (3) "General Exemption" of the Guidelines of the California Environmental Quality Act (CEQA).

### **FISCAL IMPACT**

The City previously budgeted funding for preparation of the Zoning Ordinance update.

### **ATTACHMENTS**

1. Ordinance No. 563 (for adoption of the comprehensive zoning ordinance update)
2. Amendments resulting from meeting with Councilmember Boyer

Reviewed/Approved: 

**ATTACHMENT NO 1**

**ORDINANCE NO. 536**

**FARMERSVILLE CITY COUNCIL**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
FARMERSVILLE ADOPTING A COMPREHENSIVE UPDATE OF  
THE FARMERSVILLE ZONING ORDINANCE (TITLE 17 OF THE  
FARMERSVILLE MUNICIPAL CODE)**

**THE CITY COUNCIL OF THE CITY OF FARMERSVILLE  
HEREBY DOES ORDAIN:**

**SECTION 1: FINDINGS,**

- (a) The City of Farmersville administers a zoning ordinance that is intended to promote the harmonious development of various types of land uses in the City.
- (b) Specific regulations include the establishment of individual land use zones (residential, commercial, industrial and public), lists of permitted uses by zones, regulations for structures including setbacks, building height, lot coverage, parking, landscaping, signage, fencing and permit procedures, among others.
- (c) The Farmersville Planning Commission has conducted numerous workshops to educate themselves on zoning, planning and design issues and has reviewed individual chapters of the new Zoning Ordinance.
- (d) Consistent with the California Environmental Quality Act (CEQA) the City has determined the Zoning Ordinance Update is exempt from review for environmental impacts (as a Categorical Exemption No. 15061 (b) (3) "General Exemption")

**SECTION 2.** Title 17 (Zoning) of the Farmersville Municipal Code is rescinded and replaced in its entirety with the Zoning Ordinance Update (Title 17) as shown in Exhibit 1.

**SECTION 3. SEVERABILITY.**

Each of the provisions of these ordinances are severable from all other provisions. If any article, section, subsection, paragraph, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

**SECTION 4.** The City Clerk is hereby directed to cause a summary of this Ordinance to be published by one insertion in a newspaper of general circulation in the community at least five (5) days prior to adoption and again fifteen (15) days after its adoption. If a summary of the ordinance is published, then the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted in the office of the City Clerk at least five days prior to the Council meeting at which the ordinance is adopted and again after the meeting at which the ordinance is adopted. The summary shall be approved by the City Attorney.

This Ordinance shall take effect and be in full force thirty (30) days from and after its adoption.

**SECTION 5.** The foregoing Ordinance amendment was introduced at a regular meeting of the City Council of the City of Farmersville on the 26th day of January, 2026, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

**Tina Hernandez,**  
**Mayor of the City of Farmersville**

**ATTEST:**

---

**Rochelle Giovani, City Clerk**  
**City of Farmersville**

**Attachment 2:  
Amendments for Second Reading**

The following amendments are included with the second reading of the Zoning Ordinance Update.

Page/Section	Chapter/Item	Recommendation
Chapter 21 ("RM" zones) P. 21-10; Section 21.17.21.050 i. 3. (Off Street Parking Facilities)	There is a misspelling in the word "dwelling".	This has been corrected.
Chapter 23 (Permitted Uses in Residential Zones). P. 23-2. Section 17.23.020 (Table 1) (Permitted Uses in Residential Zones)	The use "Duplexes" is listed as permitted subject to the requirements of the "Special Uses" chapter ("S"), However, the application of special standards is not required in this situation.	The reference to Special Uses standards has been removed.
Chapter 27: ("CD" (Downtown Commercial zone). P. 27-2 and 27-3). Section 17.27.050 a. and c. (Development Standards: Yards)	In the downtown commercial zone, new buildings are required to be set forward on the lot up against the sidewalk. Concern was expressed that this might preclude a restaurant that has sidewalk dining (as shown in Exhibit 27-3 on page 27-7.	A provision has been added that designs for outdoor dining and similar activities will be considered as an exception for the setback requirement.
Chapter 31: "CH" (Highway Commercial zone) P. 31-4. Section 17.31.070 (Off Street Parking)	Concern was expressed that future projects in the Highway Commercial zone (like hotels and restaurants) should include space for bus parking – for tour buses that might be passing through the area.	Language was added that space for tour bus parking should be considered in overall parking design for uses such as hotels and restaurants in the Highway Commercial zone.
P. 33-10. Section 17.33.020 i. (Design Guidelines:	Under the photo that illustrates landscaping along walls, concern was expressed that such landscaping irrigation systems must be properly maintained.	Language has been added about proper maintenance of landscaping and irrigation.
Chapter 35: Permitted Uses in Commercial zones. P. 35-11 to 35-12. Section 17.35.020 (Permitted Uses)	In the land use tables, the symbol for listing uses that are permitted is "P", however on the two pages references, the letter "A" (Allowed) is used.	The instances of "A" have been changed to "P" (Permitted).
Chapter 37 (Permitted Uses in Industrial Zones)	It was noted that a key to letters used in the permitted tables list (e.g. "P", "C", etc.) is missing. This type of key is provided for the same table for commercial zones (Chapter 35)	The key has been added.

Page/Section	Chapter/Item	Recommendation
Chapter 37 (Permitted Uses in Industrial Zones) P. 37-10; Section 17.37.020 (Table 1) Permitted Uses in Industrial zones	It was suggested that the use “Mini-Storage Facilities” (which is currently listed as permitted in the Light Industrial zone (IL)) be reclassified to only be permitted in the “I” (Industrial) zone. The thinking is that mini storage facilities do not need the visibility that uses in the “IL” zone desire	Mini storage facilities has been removed as a permitted use in the IL zone.
Chapter 37 (Permitted Uses in Industrial Zones). P. 37-11; Section 17.37.020 (Table 1) Permitted Uses	The use “Solar Generating Plant” is permitted in both “I” (Industrial) and “IL” (Light Industrial) zones. Concern was expressed that these should be classified as a Conditional Use Permit to give the City the opportunity to enter into a revenue sharing agreement with these types of uses. Otherwise, they take up a lot of land without much benefit to the City.	The use “Solar generating plant” has been reclassified as a Conditional Use Permit.
Chapter 41: Special Uses. Page 41-8; Section 17.41.070 A. 1.(Modular Structure)	The word “place” should be “placed”	This has been corrected.
Chapter 41: Special Uses: Accessory Dwelling Units) Page 41-19; Section 17.41.090 E. 5. (ADU Unit Size)	It was noted that the section on maximum size of ADU’s is confusing.	This section has been rewritten to improve clarity.
Chapter 41: Special Uses: Accessory Dwelling Units) Page 41-22; Section 17.41.090 F. (Connection, Impact and Other Fees)	This section includes language pertaining to the assessment of impact fees on Accessory Dwelling Units, however the first paragraph is potentially unclear and misleading.	This paragraph has been deleted.
Chapter 41: Special Uses. Page 41-32; Section 17.41.110 B. (Adult Businesses: Establishment and Classification of Businesses Regulated)	This section states that adult businesses are not permitted within 1,000 feet of a “sensitive use”, however the section does not list any definition of a sensitive use.	Language has been added that lists sensitive uses, including uses such as schools, parks, churches, libraries and day care centers.
Chapter 41: Special Uses. Page 41-35 Section 17.41.110 H. 10 (Adult Businesses: Establishment and Classification of Businesses Regulated)	This section defines religious institutions but then contains a non-sensical phrase (“...and related religious activities as identified on oriented businesses”)	This phrase has been removed.

Page/Section	Chapter/Item	Recommendation
Chapter 41: Special Uses. Page 41-41. (Cannabis Businesses) Section 17.41.130 C. 2. a. and d.	These sections refer to prohibited types of cannabis businesses and include "a". Retail Sales and "d" (Retail Delivery). Both of these activities are actually permitted by the ordinance.	These uses have been removed from this section (Prohibited uses) of the ordinance.
Chapter 41: Special Uses. Page 41-42; Section 17.41.130 C. 3. (Cannabis Businesses)	This section prohibits the consumption of cannabis products in a cannabis business while the business is open to the public.	This section has been amended to state that such activities can occur as long as it is allowed by the site's Conditional Use Permit.
Chapter 43 (Landscaping and Irrigation), Page 43-12, Section 17.43.130 b. (Water Efficient Landscape Ordinance: Irrigation Design Plan	This section erroneously states that water meters (dedicated to landscape irrigation only) are highly recommended in landscape areas smaller than 5,000 square feet. This should read "larger" than 5,000 square feet.	This error has been corrected.
Chapter 47 (Signs and Advertising); Page 47-20; Section 17.47.080 C. 3. (Murals)	This section stipulates that murals must be designed and painted by a qualified mural artists. It was suggested that the language be changed so that others (such as high school students) could psaint a mural as long as they are supervised by a qualified mural artist	This language has been changed to state that others could paint a mural as long as they are supervised by a qualified mural artist

**Amendments/Responses to Cal HDF Letter on Accessory Dwelling Unit Standards**

The following amendments have been made in response to the comment letter from Cal HDF submitted on January 26, 2026

Page/Section	Chapter/Item	Recommendation
Chapter 41: Special Uses. Page 41-17; Section 17.41.090 E. 1. (Accessory Dwelling Units: Development Standards: Number of Units)	HDF states that this subsection limits each single family residential parcels to a single ADU, and should be re-written to specify that up to two "State Exempt" ADU's are permitted on each single family residential parcel.	This section has been re-written to indicate that a maximum of three dwellings are permitted on each single family parcel, except that where State Exempt ADU's are installed, a Junior ADU is also permitted (thereby allowing up to four dwellings).
Chapter 41: Special Uses. Page 41-22; Section 17.41.090 E. 9. E. ii. (Accessory Dwelling Units: Development Standards: JADU Building Standards)	HDF states this section requires applicants to place a deed restriction on parcels with JADU's requiring the property owner to live on site. However, AB 1154 now prohibits cities from requiring owner-occupancy, if the JADU has its own bathroom	The owner-occupancy requirement has been eliminated when a JADU has its own bathroom
Chapter 41: Special Uses. Page 41-17; Section 17.41.090 E. (Accessory Dwelling Units: Development Standards)	<p>HDF indicates this section must specify that underlying zoning standards (setbacks, lot coverage, etc.) cannot be required for "State Exempt ADU's"</p> <p>HDF states that the "savings clause" in this code section states that if Farmersville's local ADU ordinance conflicts with State law, that the standards of State law prevail.</p> <p>HDF states that savings clauses have been ruled by the courts to be an insufficient device, because homeowners will simply follow the local code when applying for an ADU permit</p>	<p>Language has been amended to indicate that underlying zoning standards do not apply to State Exempt ADU's.</p> <p>Also, the "savings clause" language in this section has been deleted.</p>
Chapter 41: Special Uses. Page 41-17; Section 17.41.090 C. (Accessory Dwelling Units: Development Standards)	HDF indicates the language in this section needs to clearly indicate that ADU's are permitted on all lots within all residential and mixed use zones.	This section has been amended to clearly indicate that ADU's are permitted in all residential and mixed use zones.

**DRAFT  
FARMERSVILLE ZONING  
ORDINANCE**



City of Farmersville

# DRAFT Farmersville Zoning Ordinance



*Prepared for*

City of Farmersville

*Prepared by*



# Table of Contents

1 The Zoning Ordinance .....1-1

3 Administration .....3-1

5 Public Hearings.....5-1

7 Appeals .....7-1

9 Zoning Districts .....9-1

11 UR Zone (Urban Reserve) .....11-1

13 OS Zone (Open Space) .....13-1

15 PQP Zone (Public/Quasi Public) .....15-1

17 R-1 Zones (Single Family Residential).....17-1

19 R-1 (MH) Zone (Single Family Residential – Mobile Home .....19-1

21 RM Zones (Multi-Family Residential) .....21-1

23 Permitted Uses in Residential Zones .....23-1

25 CG Zone (General Commercial).....25-1

27 CD Zone (Downtown Commercial).....27-1

29 CS Zone (Service Commercial) .....29-1

31 CH Zone (Highway Commercial).....31-1

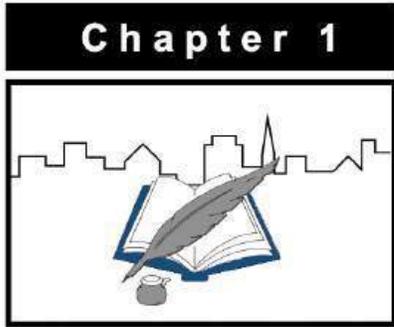
33 Commercial Design Guidelines .....33-1

35 Permitted Uses in Commercial Zones.....35-1

37 I Zone/IL Zone (Industrial Zones) .....37-1

39 PD Zone (Planned Development overlay) .....39-1

41	Special Uses and Standards .....	41-1
43	Landscaping and Irrigation .....	43-1
45	Parking and Loading .....	45-1
47	Signs and Advertising .....	47-1
49	Zoning Ordinance Amendments .....	49-1
51	Site Plan Review .....	51-1
53	Conditional Use Permits .....	53-1
55	Variances, Minor Deviations and Reasonable Accommodations.....	55-1
57	Non-Conforming Uses .....	57-1
59	Enforcement.....	59-1
61	Definitions.....	61-1



## The Zoning Ordinance

### Sections

- 17.01.010 Adoption**
- 17.01.020 Purpose and Objectives**
- 17.01.030 Authority and General Plan Consistency**
- 17.01.040 Components**
- 17.01.050 Application**

### **17.01.010 Adoption**

Pursuant to Government Code Section 65000 et. seq., a zoning ordinance is hereby adopted by the City of Farmersville. The Zoning Ordinance, hereinafter referred to as the “Ordinance”, is a document that regulates the use of land in the city limits of Farmersville.

### **17.01.020 Purpose and Objectives**

The Ordinance is enacted to protect and promote the public health, safety and general welfare, and to facilitate the planning of the City of Farmersville in a precise and orderly manner consistent with the Farmersville General Plan. In support of this purpose, the Ordinance is adopted in order to implement the following objectives:

- Provide standards for the orderly development of Farmersville;
- Conserve natural resources;
- Maintain and protect the value of property;
- Ensure the provision of adequate open space for light, air, and recreation;
- Promote the economic stability of existing land uses that conform to the General Plan and protect them from intrusions by inharmonious or harmful land uses;

- Permit the development of residential, office, commercial and industrial land uses in accordance with the general plan in order to strengthen Farmersville's economic base;
- Protect the character of Farmersville's downtown and its residential neighborhoods;
- Provide the private sector with a document upon which it can base investment decisions;
- Inform the public where certain types of development will occur in the community as well as the development standards to which they will develop;
- Coordinate with the County of Tulare with regards to the use of land within Farmersville's General Plan planning area, and the standards to which development will conform if it occurs outside the city limits.

#### **17.01.030 Authority and General Plan Consistency**

This Ordinance, consistent with Government Code Section 65860, is the primary document by which the City of Farmersville implements the goals, policies and actions of the Farmersville General Plan.

#### **17.01.040 Components**

The Zoning Ordinance shall be composed of zoning and planning regulations and the Official Zoning Map, hereinafter referred to as the "Zoning Map". The zoning and planning regulations will control the use of land, the density (units per acre or person per acre) and intensity (floor area per acre) of development, the uses and locations of structures, the height and size of structures, the yard areas around structures, and development standards for land uses. The Zoning Map will delineate the location of zone districts inside the Farmersville city limits.

#### **17.01.050 Application**

This Ordinance shall apply to all property inside the Farmersville city limits whether owned by private persons or by public entities, including the federal government, the State of California or any of its agencies or political subdivisions; by school districts or special districts, by any city or county, or by any authority or district organized under the laws of the State. Lands that are exempt from these regulations are: public streets and alleys, and railroad rights-of-way.

**Chapter 3**



**Administration**

**Sections**

- 17.03.010 Authority**
- 17.03.020 City Council**
- 17.03.030 Planning Commission**
- 17.03.040 Planning Director**
- 17.03.050 Head Building Official**
- 17.03.060 City Engineer**

**17.03.010 Authority**

This Ordinance is the primary tool for implementing the goals, policies and action programs of the Farmersville General Plan, the Farmersville Subdivision Ordinance and any planned unit developments, specific plans or master plans. The authority to execute this Ordinance shall be vested with the City Council, Planning Commission and other named city officials and public bodies.

**17.03.020 City Council**

The Farmersville City Council shall be the final authority on zoning ordinance amendments, appeals, general plan and specific plans and their amendments, development agreements, and other permit procedures that may be included in or added to this Ordinance.

The City Council shall also be responsible for appointing persons to the Planning Commission and other decision-making bodies that may be named in this Ordinance.

**17.03.030 Planning Commission**

The Farmersville Planning Commission shall be the final authority on Conditional Use Permits, Site Plan Review, Classification of Uses, and other permits that may be included

in or added to this Ordinance. In addition, the Commission shall provide recommendations to the City Council by means of a resolution that details findings on zoning ordinance amendments, general and specific plans and amendments thereto, development agreements and other permit procedures that may be added to the Ordinance.

**17.03.040 Planning Director**

The Planning Director, or assigned representative, shall be the authority on the interpretation, administration and enforcement of the Ordinance. Further, the Planning Director shall be the final authority on minor deviations and administrative planning permits. Other duties of the Director shall include preparation of reports, resolutions and ordinances that come before the Planning Commission and City Council.

**17.03.050 Chief Building Official**

The Chief Building Official, or assigned representative, shall be the authority on the interpretation, administration and enforcement of the Uniform Building Code. Other duties of the Building Official shall include enforcement of specified provisions of this Ordinance, securing Ordinance clearance prior to issuing a building permit, notification of persons who are in violation of specified provisions of this Ordinance and other responsibilities that may be included in or added to this Ordinance.

**17.03.060 City Engineer**

The City Engineer, or assigned representative, shall be the authority on the interpretation, administration and enforcement of the Subdivision Ordinance, the City of Farmersville Improvement Standards Manual, and other responsibilities that may be included in or added to this Ordinance. Other duties of the City Engineer shall include preparation of reports and recommendations on all engineering matters that come before the Planning Commission and City Council, and notification of persons who are in violation of specified provisions of this Ordinance.

## Chapter 5



## Public Hearings

### Sections

- 17.05.010 Notice Requirements**
- 17.05.020 Contents**
- 17.05.030 Failure to Receive Notice**
- 17.05.040 Continuation**

### **17.05.010 Notice Requirements**

Where this Ordinance requires a public hearing notice, notice shall be given in all of the following ways:

- a. A public hearing notice shall be published in a newspaper of general circulation not less than 10 days prior to said hearing. If there is no such paper of general circulation, the public hearing notice shall be posted at least 10 days prior to the hearing in at least three public places within the City of Farmersville.
- b. A notice shall be mailed or delivered not less than 10 days prior to the hearing to the owner of the subject property or the owner's authorized agent, the project applicant, and to owners of properties within 300 feet of the subject property as shown on the latest equalized tax assessment role. If the number of properties exceeds 1,000, the City of Farmersville, in lieu of a notice that is mailed or delivered, may provide a notice by placing a display notice of at least one-eighth page in at least one newspaper of general circulation at least 10 days prior to the meeting.
- c. A public hearing notice shall be posted at least 10 days prior to the hearing in at least three public places within the City of Farmersville.

**17.05.020 Contents**

The public hearing notice, whether published in a newspaper of general circulation or posted at a public place within the City, shall include the following information: date, time and place of the public hearing; the hearing body or officer that will consider the public hearing item; and a general description of the project and its location.

**17.05.030 Failure to Receive Notice**

Failure of any person or entity to receive a public hearing notice shall not invalidate any proceedings or applications authorized by this Ordinance.

**17.05.040 Continuation**

Any public hearing conducted under this Ordinance may be continued. The Commission or Council shall announce the time and place to which the hearing is to be continued. No further public hearing notice shall be required.

## CHAPTER 7



# Appeals

### Sections

- 17.07.010 Who May Appeal**
- 17.07.020 Appeal Requirements**
- 17.07.030 Effect of Appeal**
- 17.07.040 Public Notice and Hearing**
- 17.07.050 Decision on Appeal**
- 17.07.060 Appeals by the Planning Director**
- 17.07.070 New Appeal**
- 17.07.080 Reconsideration**

#### **17.07.010 Who May Appeal**

Any person dissatisfied with a decision of the Planning Director or Planning Commission on a planning application may appeal the decision. The decision of the Planning Director can be appealed to the Planning Commission, and the Planning Commission's decision to the City Council, unless otherwise not allowed by this Ordinance.

#### **17.07.020 Appeal Requirements**

An appeal of a decision by the Planning Director or Planning Commission shall be completed by filing a letter with the City Clerk no later than 10 days after the day on which the decision was made. The appeal shall state the name of the person appealing the decision, the decision that is being appealed and the reasons for the appeal, including an error, abuse or discretion or a decision that is not supported by the findings in the record.

#### **17.07.030 Effect of Appeal**

The filing of an appeal shall have the effect of staying the issuance of any permit or procedure until such time as the matter on appeal is resolved.

**17.07.040 Public Notice and Hearing**

Upon receipt of an appeal by the City Clerk, a public hearing shall be held within 45 days of the receipt of the appeal. The public hearing notice for the appeal shall comply with the notice requirements detailed in Section 17.05 (Public Hearings).

**17.07.050 Decision on Appeal**

The Planning Commission or City Council shall hold a public hearing on the matter that is under appeal. The appellate body shall affirm, modify or reverse the decision under appeal. At the discretion of the appellate body, the public hearing may be continued.

**17.07.060 Appeals by the Planning Director**

The Planning Director may appeal a decision of the Planning Commission to the City Council if the Director finds that:

- a. The action of the Planning Commission constitutes new policies for the City.
- b. The action is contrary to established City policy.
- c. The action will have a significant fiscal impact on the City.
- d. The action is not in compliance with City zoning or subdivision ordinances.
- e. The action is inconsistent with the Farmersville General Plan.

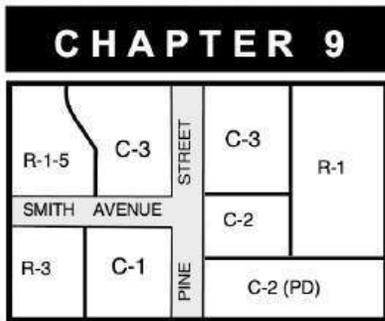
**17.07.070 New Appeal**

When an appeal has been denied by an appellate body, no new application for the same or substantially same application shall be filed with the City for 12 months following the final decision on the appeal.

**17.07.080 Reconsideration**

If the appellate body determines that more complete information or additional facts on the matter previously appealed become evident, the affected party may request reconsideration of the appeal. All costs associated with the reconsideration shall be borne

by the applicant. A new public hearing notice will be processed consistent with Section 17.05 (Public Hearings).



## Zoning Districts

### Sections

- 17.09.010 Purpose**
- 17.09.020 Definition**
- 17.09.030 Districts**
- 17.09.040 Combining Districts**
- 17.09.050 Official Zoning Map**
- 17.09.060 District Boundaries**
- 17.09.070 District Regulations**
- 17.09.080 Effect of Annexation, Vacation or Abandonment on District Boundaries**
- 17.09.090 Effect on Other Regulations**

### **17.09.010 Purpose**

Pursuant to Government Code Section 65800 et. seq., the State of California grants to the City of Farmersville the power to apply zoning to lands within its city limits. The purpose of zoning is to protect the public health, safety and general welfare. The constitutionality of zoning has been upheld by the United States Supreme Court since 1926, *Euclid v. Amber Realty Company* (272 US 365).

### **17.09.020 Definition**

*Zoning* is the division of a city into districts, and the regulation within those districts of the height, appearance and bulk of buildings and structures; the area of a lot that may be occupied and the size of required open spaces; the density and intensity of development; and the use of buildings and land for commercial, agricultural, industrial, residential and other purposes.

**17.09.030 Districts**

Districts are areas within the City of Farmersville within which certain zoning regulations apply. The districts hereby established and into which the City is divided are as follows:

<b><u>District Symbol</u></b>	<b><u>Zone District</u></b>
<b>U-R</b>	<b>Urban Reserve</b>
<b>O-S</b>	<b>Open Space</b>
<b>P-QP</b>	<b>Public/Quasi Public</b>
<b>R-1-5</b>	<b>Single Family Residential, minimum lot size of 5,000 square feet</b>
<b>R-1-6</b>	<b>Single Family Residential, minimum lot size of 6,000 square feet</b>
<b>R-1-7.5</b>	<b>Single Family Residential, minimum lot size of 7,500 square feet</b>
<b>R-1 (MH)</b>	<b>Single Family Residential (Mobile Home)</b>
<b>RM-1.5</b>	<b>Medium-High Density Multiple Family Residential</b>
<b>RM-3</b>	<b>Low Density Multiple Family Residential</b>
<b>C-C</b>	<b>Central Commercial</b>
<b>C-G</b>	<b>General Commercial</b>
<b>C-S</b>	<b>Service Commercial</b>
<b>C-H</b>	<b>Highway Commercial</b>
<b>I</b>	<b>Industrial</b>
<b>I-L</b>	<b>Light Industrial</b>

**17.09.040 Overlay Districts**

Overlay districts are areas in Farmersville that may require special regulations due to unique locational features, architecture, historical significance, resources or hazards. These districts may be combined with any of the base districts identified in this Chapter.



**17.09.080 Effect of Annexation, Vacation or Abandonment on District Boundaries**

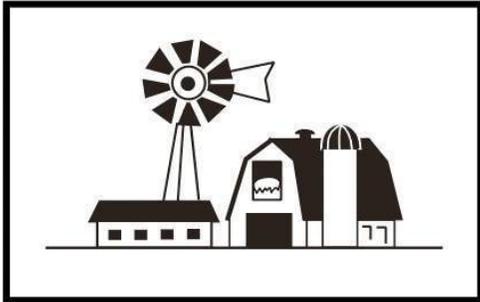
Where property is annexed into Farmersville or where property is vacated or abandoned, the following zoning rules shall apply:

- a. Farmersville may pre-zone unincorporated territory adjoining the city for the purpose of determining the zoning that will apply to such territory in the event of annexation. Zoning of the subject territory will be conducted consistent with Section 17.51 (Zoning Ordinance Amendments) and will become effective when annexation has been completed.
- b. Unless pre-zoned, all property annexed into the City shall be classified to the Urban Reserve (UR) district.
- c. All property that lacks zoning because property has been vacated or abandoned shall be zoned to the centerline of the subject property consistent with the zoning on the adjoining property.

**17.09.090 Effect on Other Regulations**

Where more restrictive standards, use regulations or rules are established by any other applicable statutes, ordinances or regulations than is established by this Ordinance, the provisions of such statutes, ordinances or regulations shall govern.

## CHAPTER 11



## UR Zone (Urban Reserve)

### Sections

- 17.11.010 Purpose
- 17.11.02 Permitted Uses
- 17.11.03 Site Plan Review
- 17.11.04 Development Standards
- 17.11.05 Fences, Walls and Hedges
- 17.11.06 Off-Street Parking and Loading Facilities
- 17.11.07 Signs
- 17.11.08 Design Standards

### 17.11.010 Purpose

The purpose of the Urban Reserve (UR) district is to reserve in a substantially undeveloped or agricultural state, areas planned for future urban use where, because the areas currently lack public facilities or services, or because the need for urban expansion within them is not immediate, it is preferable to prevent the development of uses or structures which might be premature or conflict with the future planned urban use of the areas.

### 17.11.020 Permitted Uses

Uses permitted and permitted by Conditional Use Permit in the UR district are listed in Chapter 17.23 (Uses Permitted in Residential Zones).

**17.11.030 Site Plan Review**

No commercial or industrial development shall be constructed on any lot or site in this district until a site plan has been submitted and approved consistent with Chapter 17.53 (Site Plan Review), (or a Conditional Use Permit, for uses listed as such).

**17.11.040 Development Standards (see also Exhibit 11-1 for a summary of development standards)**

a. Site Area, Lot Frontage and Depth

Each lot shall have a minimum area of 2-1/2 acres, measured from the center of any abutting roadway, stream, railroad, or public right-of-way forming a boundary line.

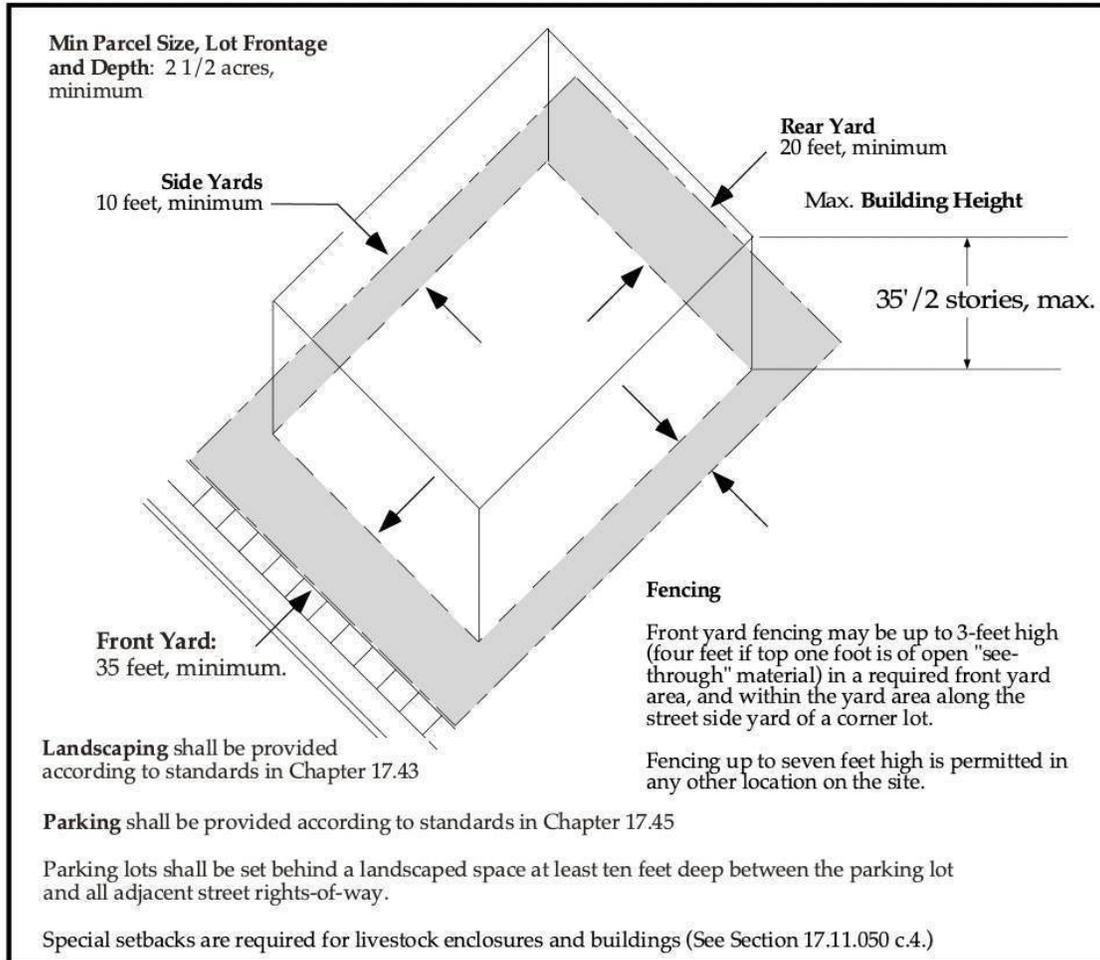
b. Building Height

The maximum height of buildings shall be 35 feet/two stories, unless a Conditional Use Permit is secured to allow a taller structure.

c. Yards

1. Front: 35 feet, minimum.
2. Side: 10 feet, minimum.
3. Rear: 20 feet, minimum.
4. Buildings or enclosures in which animals, or fowl (except household pets) are contained shall be at least 300 feet from any lot zoned residential or commercial or any school or institution for human care, nor within 25 feet of any dwelling or other building used for human habitation. The number of animals permitted is regulated by Sections 6.04.010 and 6.04.020 of the Farmersville Municipal Code.

**Exhibit 11-1: Zoning Standards**



**17.11.050 Fences, Walls and Hedges**

- a. Front Yards: Fences, walls and hedges shall not exceed three feet in height within a required front yard area, and within a required side yard area in the street side yard of a corner lot. A fence or wall may be four feet in height if more than 50 percent of the structure is see-through.
- b. Rear and Side Yards: Fences, walls, and hedges shall not exceed seven feet in height along any side or rear property line.

**17.11.060 Off-Street Parking and Loading Facilities**

Uses in the UR District shall provide off-street parking consistent with Chapter 17.45 (Parking and Loading).

**17.11.070 Signs**

Signs shall be consistent with the requirements detailed in Chapter 17.47 (Signs and Advertising).

**17.11.080 Design Standards**

The following standards shall apply to all single family dwellings, including manufactured and mobile homes, that are established in the U-R zone.

- a. The minimum width of a single family dwelling or a manufactured or mobile home shall be 20 feet.
- b. Mobile homes must be certified under the National Manufactured Home Construction and Safety Act of 1974.
- c. A mobile home or modular dwelling proposed to be moved onto a site shall not exceed 10 years old.
- d. All residential dwellings shall be attached to a permanent foundation.
- e. The roofs of all residential dwellings shall be composed of composition shingles, ceramic tiles, metal or wood shakes or shingles. The pitch of the roof shall not be less than three inches of vertical rise over 12 inches of horizontal run. The roof overhang shall not be less than 12 inches around the building perimeter.
- e. The exterior siding of all residential dwellings shall be composed of wood, masonry, plaster, or metal sheathing.
- f. Siding shall extend to the ground, except when a solid concrete or masonry perimeter foundation or retaining wall is used, in which case the siding material need only extend to the top of the foundation or wall.

## CHAPTER 13



# O-S Open Space Zone

### Sections:

- 17.13.010 Purpose.**
- 17.13.020 Permitted uses**
- 17.13.030 Site Plan Review**
- 17.13.040 Development Standards**
- 17.13.050 Fences, Walls and Hedges**
- 17.13.060 Off-Street Parking and Loading Facilities**
- 17.13.070 Signs**
- 17.13.080 Landscaping and Irrigation**

### **17.13.010 Purpose.**

The purpose of the Open Space zone is to preserve open space recreation areas and areas of historical and cultural value, and devoted to the enjoyment of scenic beauty, conservation of natural resources and landscaped area.

### **17.13.020 Permitted Uses.**

The uses permitted in the O-S zone are those uses listed in Chapter 17.23 (Uses Permitted in Residential Zones).

### **17.13.030 Site Plan Review**

No commercial or public development shall be constructed on any lot or site in this district until a Site Plan has been submitted and approved consistent with Chapter 17.53 (Site Plan Review), (or a Conditional Use Permit for uses listed as such).

**17.13.040 Development Standards** (see also Exhibit 13-1 for a summary of development standards)

a. Site Area, Lot Frontage and Depth

No standards

b. Building Height

30 feet, maximum. Accessory structures may exceed the height limit, as listed in Chapter 17.41 (Special Uses and Standards).

c. Yards

A. Front: 35 feet, minimum

B. Side Yards:

1. Interior Side: 10 feet, minimum
2. Street Side of Corner Lot: 20 feet, minimum;

C. Rear: 40 feet, minimum.

D. Setbacks for Accessory Structures

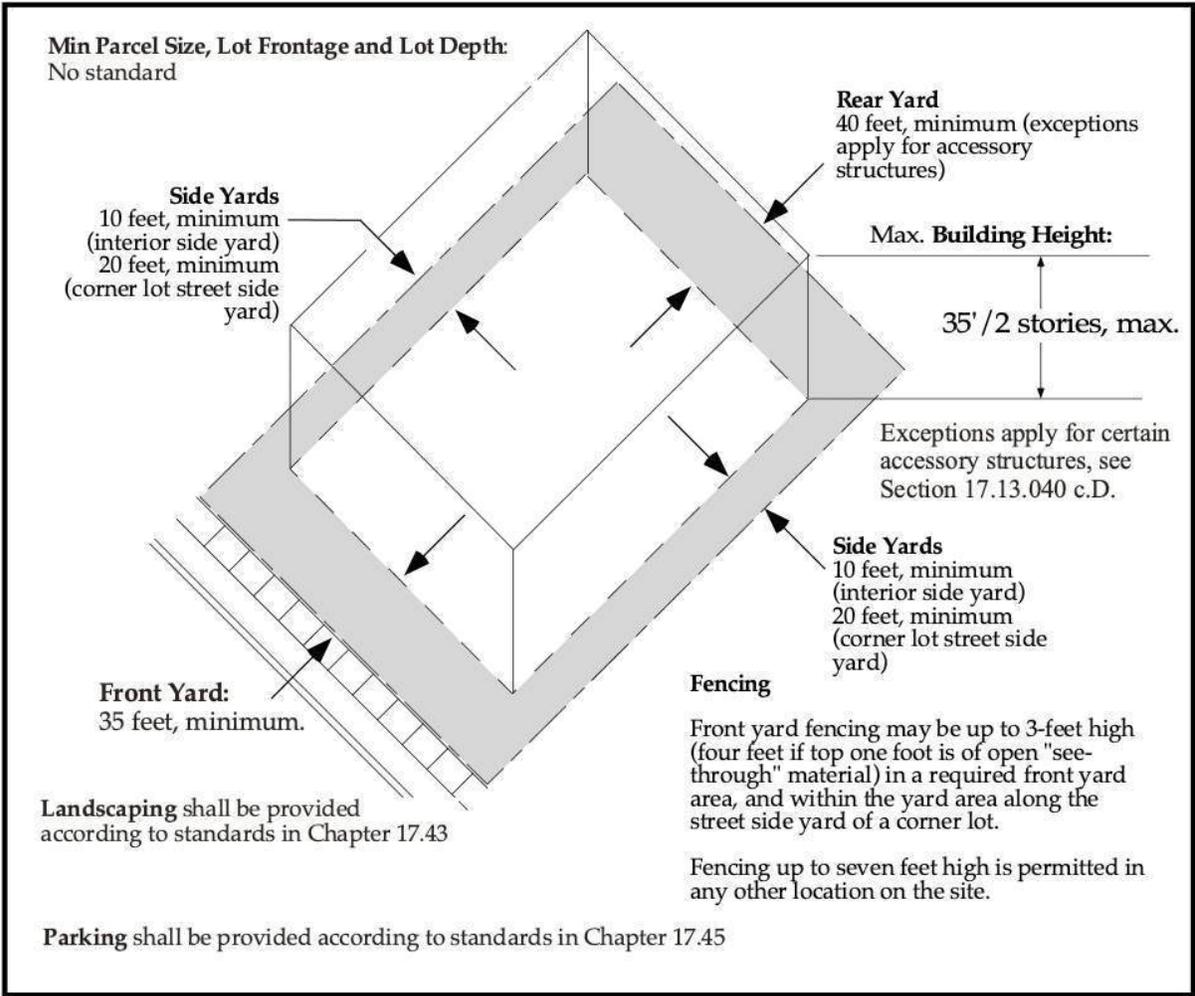
Accessory structures that are less than 12 feet in height may have a zero side yard setback (provided the structure is located behind the front yard setback (and the street side yard setback on a corner lot and a zero rear yard setback. Accessory structures that are 12 feet high or taller must observe standard side and rear yard setbacks.

**17.13.050 Fences, Walls and Hedges**

A. Front Yards: Fences, walls and hedges shall not exceed three feet in height within a required front yard area, and within a required side yard area in the street side yard of a corner lot. A fence or wall may be four feet in height if more than 50 percent of the structure is see-through.

B. Rear and Side Yards: Fences, walls, and hedges shall not exceed seven feet in height along any side or rear property line.

**Exhibit 13-1: Zoning Standards**



**17.13.060 Off-Street Parking and Loading Facilities**

Uses in the OS District shall provide off-street parking consistent with Chapter 17.45 (Parking and Loading)

**17.13.070 Signs**

All signs on parcels in the OS zone shall be consistent with the requirements of Chapter 17.47 (Signs and Advertising).

**17.13.080 Landscaping and Irrigation**

Landscaping and irrigation shall be provided according to standards in Chapter 17.43  
(Landscaping and Irrigation)

## CHAPTER 15

### P-QP Public/Quasi Public Zone



#### Sections:

- 17.15.010 Purpose.
- 17.15.020 Permitted Uses.
- 17.15.030 Site Plan Review
- 17.15.040 Development Standards
- 17.15.050 Fences, Walls and Hedges
- 17.15.060 Off-Street Parking and Loading Facilities
- 17.15.070 Signs
- 17.15.080 Landscaping and Irrigation
- 17.15.090 Compliance with Farmersville Design Guidelines.
- 17.15.100 Performance standards.

#### 17.15.010 Purpose.

The P-QP zone is intended to be applied to properties owned by public agencies, such as the city and school district. Such properties are intended to provide for a variety of public uses and facilities such as schools, civic and community centers, parks and open space facilities, public works facilities and similar installations and uses.

#### 17.15.020 Permitted Uses.

The uses permitted in the O-S zone are those uses listed in Chapter 17.23 (Uses Permitted in Residential Zones).

**17.15.030 Site Plan Review**

No commercial or public development shall be constructed on any lot or site in this district until a Site Plan has been submitted and approved consistent with Chapter 17.53 (Site Plan Review), (or a Conditional Use Permit for uses listed as such).

**17.15.040 Development Standards**

A. Site Area, Lot Frontage and Depth

No standards.

B. Building Height

No principal building shall exceed forty feet in height. Accessory structures may exceed the height limit, as listed in Chapter 17.43 (Special Uses and Standards).

C. Yards

- a. Front: None required, except where the subject lot abuts a lot to the side that is zoned with a specific front yard requirement, then a front yard is required consistent with that required for the abutting zone.
- b. Side Yards: None required, except where the subject lot abuts a lot to the side that is zoned with a specific side yard requirement, then a side yard is required consistent with that required for the abutting zone.
- c. Rear: None required, except where the subject lot abuts a lot to the rear that is zoned with a specific rear yard requirement, then a rear yard is required consistent with that required for the abutting zone.

**17.15.050 Fences, Walls and Hedges**

- A. Front Yards: Fences, walls and hedges shall not exceed three feet in height within a required front yard area, and within a required side yard area in the street side yard of a corner lot. A fence or wall may be four feet in height if more than 50 percent of the structure is see-through.
- B. Rear and Side Yards: Fences, walls, and hedges shall not exceed seven feet in height along any side or rear property line.
- C. Solid fencing seven feet high and landscaping adequate to screen development from adjacent residential zones along rear and side property lines shall be installed.

**17.15.060 Off-Street Parking and Loading Facilities**

Uses in the P/QP District shall provide off-street parking consistent with Chapter 17.47 (Parking and Loading)

**17.15.070 Signs**

All signs on parcels in the P/QP zone shall be consistent with the requirements of Chapter 17.49 (Signs).

**17.15.080 Landscaping and Irrigation**

Landscaping and irrigation shall be provided according to standards in Chapter 17.45 (Landscaping and Irrigation)

**17.15.090 Compliance with Farmersville Design Guidelines.**

All new uses shall comply with the Farmersville Design Guidelines.

**17.15.100 Performance standards.**

- A. All uses or activities shall be conducted wholly within completely enclosed buildings, except for temporary outdoor uses, or where in the opinion of the zoning administrator the use is incidental to a principal use on the premises and the proposed outside use is in character and harmony with the surrounding area. When a commercial-like use is not conducted entirely within a building, the site shall be fenced with six-foot solid wood or masonry fence as required by the zoning administrator.
- B. All uses adjacent to residential zones shall be located, oriented and designed so as to be compatible with said residential zones.
- C. Outside storage of solid wastes and containers for solid waste, containers, merchandise, or other items or goods awaiting pickup, sale, or other disposition shall be prohibited except where screened to the satisfaction of the planning commission or the zoning administrator.
- G. Light sources shall be directed and shielded so as to not illuminate surrounding residential areas.



# R-1 Zones (Single Family Residential)

## Sections

- 17.17.010 Purpose**
- 17.17.020 Subdistricts**
- 17.17.030 Permitted Uses**
- 17.17.040 Development Standards**
- 17.17.050 Fences, Walls and Hedges**
- 17.17.060 Off-Street Parking and Loading Facilities**
- 17.17.070 Signs**
- 17.17.080 Design Standards**

### 17.17.010 Purpose

The purpose of the R-1 districts is to provide living areas within Farmersville where development is consistent with the Farmersville General Plan and is limited to low density concentrations of single-family dwellings and associated residential uses, and where regulations are designed to promote the following:

- 1) encourage a suitable environment for family life,
- (2) provide space for community facilities, including parks, schools, churches and other facilities that will complement the residential environment;
- (3) a circulation system that is pedestrian-friendly, is properly connected to the community at-large and adjacent residential developments, and provides for alternative forms of transportation, including walking, cycling and transit as well as mobility for disabled individuals;
- (4) an attractive and unique neighborhood design including the streetscape and residential dwellings themselves; and

(5) the conservation of valuable resources including water and energy.

**17.17.020 Subdistricts**

In order to adequately plan for single family development at various densities, the R-1 district is further divided into the following subdistricts:

R-1-5 (single family residential, minimum lot size of 5,000 square feet);

R-1-6 (single family residential, minimum lot size of 6,000 square feet);

R-1-7.5 (single family residential, minimum lot size of 7,500 square feet)

**17.17.030 Permitted Uses**

Uses permitted by right and also those subject to approval of Site Plan Review or Conditional Use Permit are listed in Chapter 17.23.

**17.17.040 Development Standards**

A. Lot Area (see also Exhibit 17-1)

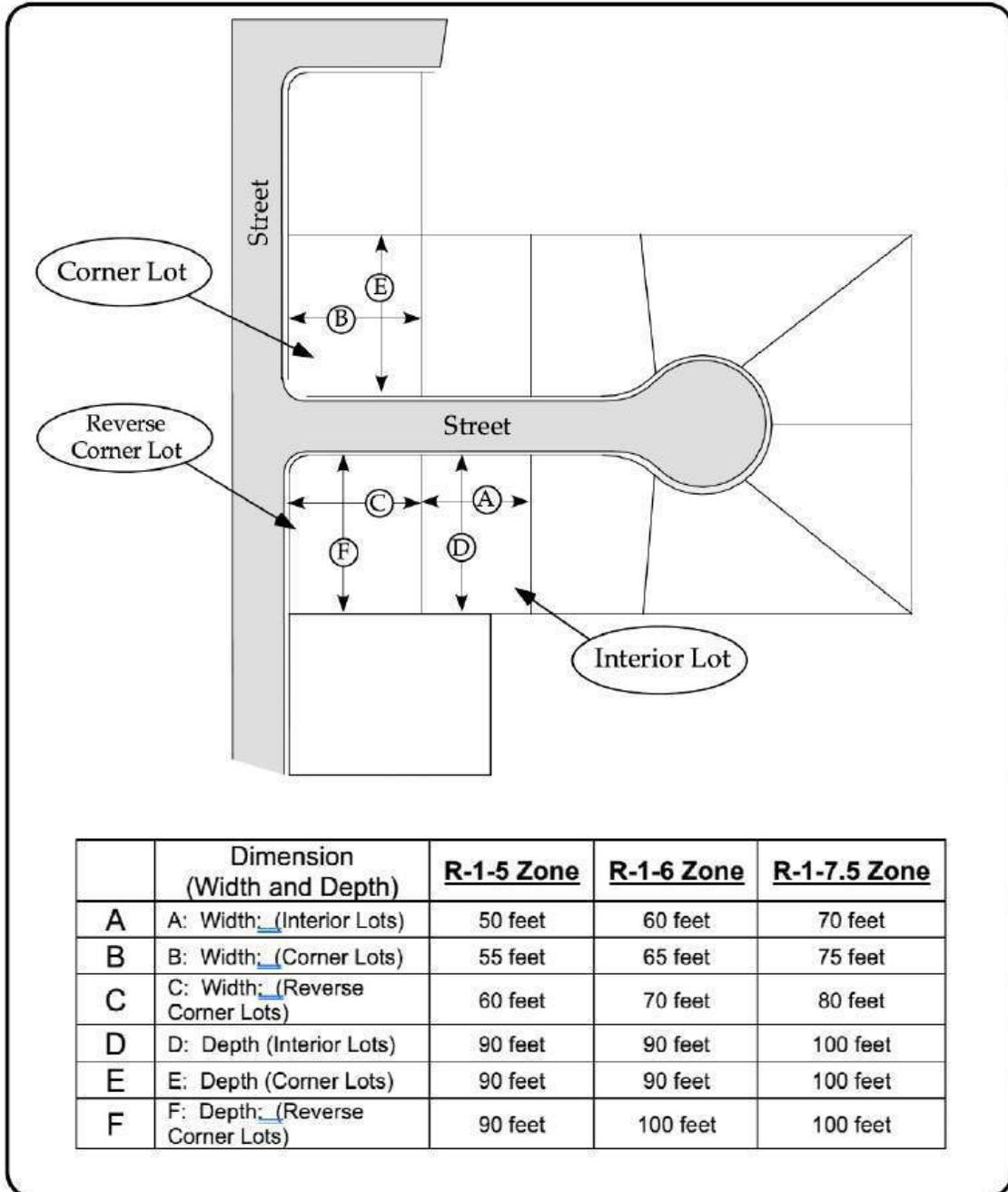
The minimum lot area for newly-created lots in single family residential districts are as follows:

<u>District</u>	<u>Minimum Lot Area</u>
R-1-5	5,000 square feet
R-1-6	6,000 square feet
R-1-7.5	7,500 square feet

B. Lot Frontage and Depth

1. The minimum lot width and depth for each of Farmersville's single family residential districts is displayed in Exhibit 17-1:

**Exhibit 17-1: Lot Size Standards**



Farmersville Zoning Ordinance  
Chapter 17: R-1 Zones (Single Family Residential)

C. Building Height

The maximum height of residential structures shall be 30 feet; the maximum height of accessory structures shall be 16 feet.

D. Lot Coverage

The maximum lot coverage by structures shall be forty percent.

E. Yard Requirements (see also Exhibit 17-2).

Yard requirements (“setbacks”) are shown in Exhibit 17-2. All setbacks are to be measured from property boundaries. Accessory buildings typically have different setback requirement from primary buildings.

**17.17.050 Fences and Walls (see Exhibit 17-3)**

Fences and walls are subject to the following height and location restrictions including corner visibility safety triangles. Fences and walls shall not protrude across property lines.

A. Front Yards:

Within a required front yard setback area, fences and walls shall not exceed three feet in height, except that a fence or wall may be four feet in height if more than 50 percent of the structure is see-through. Regardless of location, fences shall not obstruct access to utility meters.

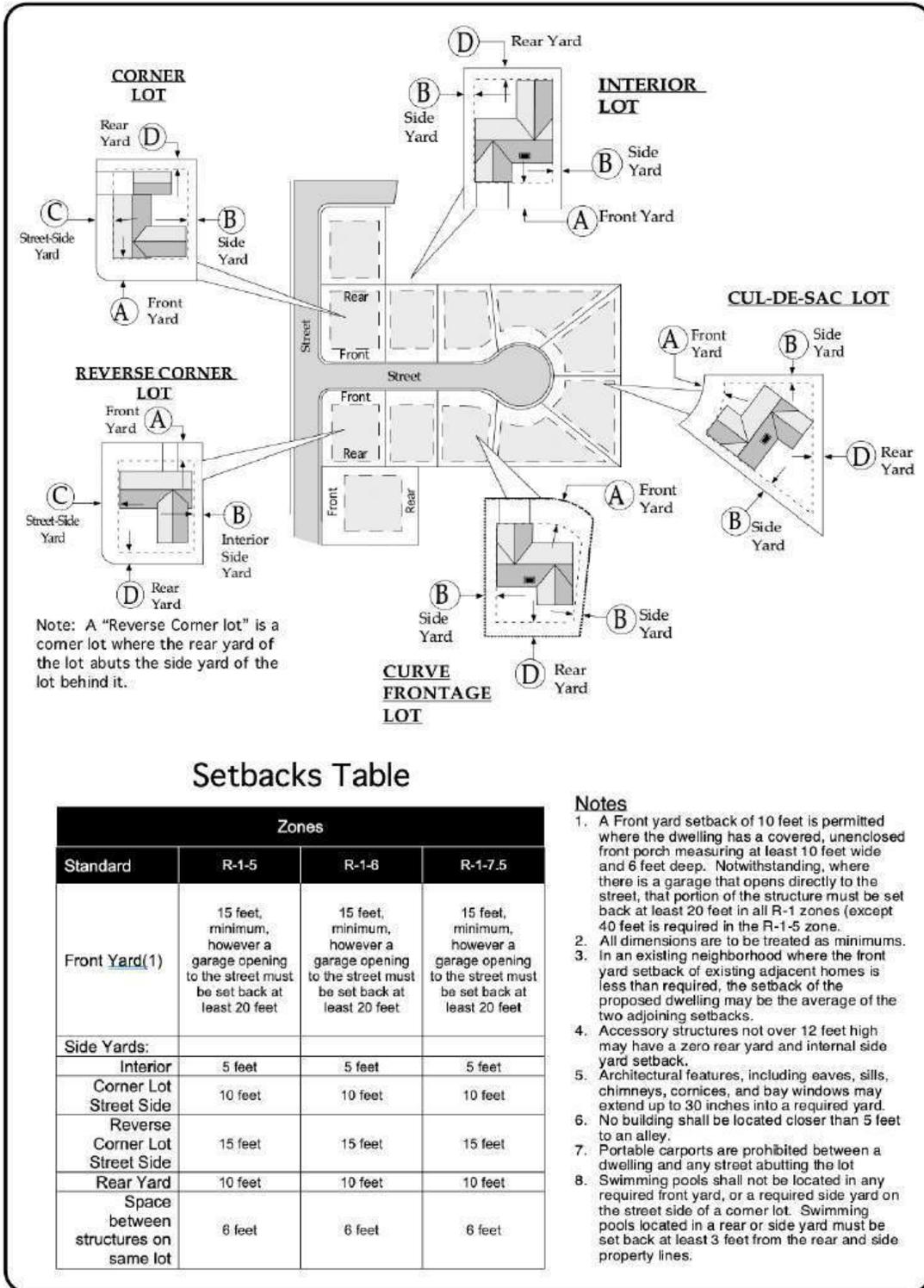
B. Rear and Side Yards:

Fences and walls shall not exceed six feet in height along any side or rear property line.

C. Corner Lot Standards

Fencing along the street side of corner lots must be set back at least five feet behind the public sidewalk (or five feet behind curbing where no sidewalk exists). Subject to the foregoing, fencing may be up to six feet high along the street side yard (behind the required front yard setback area).

**Exhibit 17-2: Setbacks**



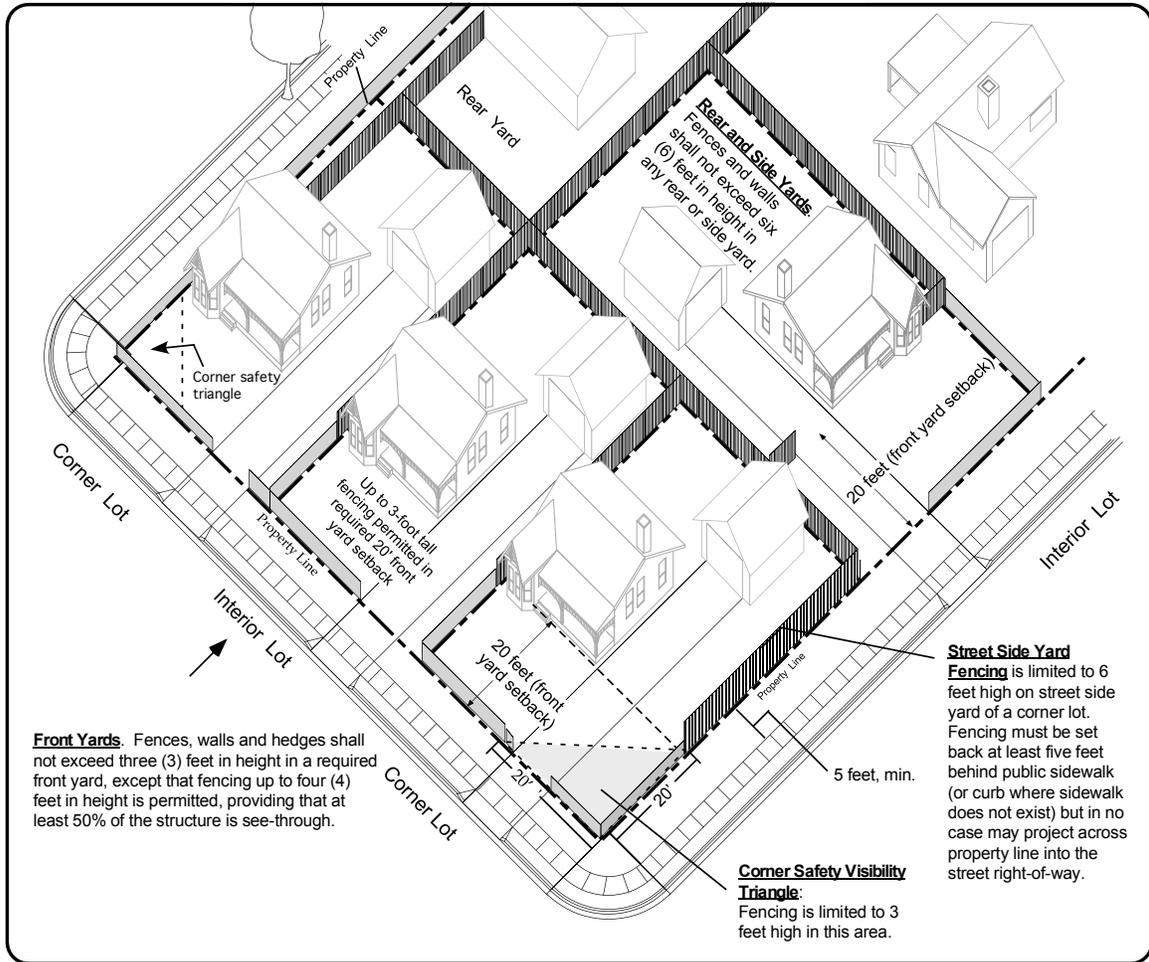
**Setbacks Table**

Standard	Zones		
	R-1-5	R-1-6	R-1-7.5
Front Yard(1)	15 feet, minimum, however a garage opening to the street must be set back at least 20 feet	15 feet, minimum, however a garage opening to the street must be set back at least 20 feet	15 feet, minimum, however a garage opening to the street must be set back at least 20 feet
Side Yards:			
Interior	5 feet	5 feet	5 feet
Corner Lot Street Side	10 feet	10 feet	10 feet
Reverse Corner Lot Street Side	15 feet	15 feet	15 feet
Rear Yard	10 feet	10 feet	10 feet
Space between structures on same lot	6 feet	6 feet	6 feet

**Notes**

1. A Front yard setback of 10 feet is permitted where the dwelling has a covered, unenclosed front porch measuring at least 10 feet wide and 6 feet deep. Notwithstanding, where there is a garage that opens directly to the street, that portion of the structure must be set back at least 20 feet in all R-1 zones (except 40 feet is required in the R-1-5 zone).
2. All dimensions are to be treated as minimums.
3. In an existing neighborhood where the front yard setback of existing adjacent homes is less than required, the setback of the proposed dwelling may be the average of the two adjoining setbacks.
4. Accessory structures not over 12 feet high may have a zero rear yard and internal side yard setback.
5. Architectural features, including eaves, sills, chimneys, cornices, and bay windows may extend up to 30 inches into a required yard.
6. No building shall be located closer than 5 feet to an alley.
7. Portable carports are prohibited between a dwelling and any street abutting the lot.
8. Swimming pools shall not be located in any required front yard, or a required side yard on the street side of a corner lot. Swimming pools located in a rear or side yard must be set back at least 3 feet from the rear and side property lines.

**Exhibit 17-3: Fencing Standards Shown on Typical Lot Types**



D. Corner visibility safety area

To ensure visibility and safety for motorists, pedestrians, bicyclists and disabled individuals at the intersection of streets, a corner visibility safety triangle is required. Fencing in this area is limited to three feet high. To determine the visibility area, a triangle having two sides 20 feet long along each public right-of-way is established, said length beginning at the intersection and the third side formed by a line connecting the two ends (see Exhibit 17-3).

**17.17.060 Off-Street Parking and Loading Facilities**

- A. For single family dwelling, a minimum of two covered parking stalls shall be required on the site. Each space shall have a minimum width of 10 feet and a minimum depth of 20 feet. All parking spaces and driveways shall have a concrete or asphalt surface. Where a carport or garage is open to a public street, a driveway of at least 20 feet shall be provided between the face of the garage and the back of sidewalk or property line, whichever distance is greater.
- B. Non-residential uses in this district shall provide off-street parking consistent with Chapter 17.47 Parking and Loading.

**17.17.070 Signs**

Signs shall be consistent with the requirements detailed in Chapter 17.49 Signs.

**17.17.080 Design Standards**

The following standards shall apply to all single-family dwellings, including manufactured and mobile homes, that are established in the R-1 districts.

- A. Any mobile home or modular structure shall be no less than ten years old at the date of installation.
- B. The minimum width of a single-family dwelling or a manufactured or mobile home shall be 20 feet.
- C. Mobile homes and manufactured homes must be certified under the National Manufactured Home Construction and Safety Act of 1974.
- D. All residential dwellings shall be attached to a permanent foundation.
- E. The roofs of all residential dwellings shall be composed of composition shingles, ceramic tiles, metal or wood shakes or shingles. The pitch of the roof shall not be less than three inches of vertical rise over 12 inches of horizontal run. The roof overhang shall not be less than 12 inches around the building perimeter.
- F. The exterior siding of all residential dwellings shall be composed of wood, masonry, plaster, or metal sheathing.

Farmersville Zoning Ordinance  
Chapter 17: R-1 Zones (Single Family Residential)

- F. Siding shall extend to the ground, except when a solid concrete or masonry perimeter foundation or retaining wall is used in which case the siding material need only extend to the top of the foundation or wall.

## CHAPTER 19



### **R-1 (MH) Zones (Single Family Residential (Mobile Home))**

#### **Sections**

<b>17.19.010</b>	<b>Purpose</b>
<b>17.19.020</b>	<b>Permitted Uses</b>
<b>17.19.030</b>	<b>Development Standards</b>
<b>17.19.040</b>	<b>Fences, Walls and Hedges</b>
<b>17.19.050</b>	<b>Off-Street Parking and Loading Facilities</b>
<b>17.19.060</b>	<b>Signs</b>
<b>17.19.070</b>	<b>Design Standards</b>

#### **17.19.010 Purpose**

The purpose of the R-1 (MH) zone is to establish standards for that part of the community that was developed as a mobile home “subdivision”, located in the southeast part of the City, generally located south of Grove Street and east of Camelia street. It is the intent of this chapter to establish special standards that are consistent with existing development in this area. Further that the zoning designation is intended to apply to this area alone, and not be expanded to other areas.

The regulations are designed to promote the following:

- 1) encourage a suitable environment for family life in an environment developed primarily with mobile homes and manufactured housing.
- (2) a circulation system that is pedestrian-friendly, is properly-connected to the community at-large and adjacent residential developments, and provides for alternative forms of transportation, including walking, cycling and transit as well as mobility for disabled individuals;
- (3) an attractive and unique neighborhood design including the streetscape and residential dwellings themselves; and
- (5) the conservation of valuable resources including water and energy.

**17.19.020 Permitted Uses**

Uses that are permitted and conditionally-permitted in the R-1 (MH) zone are listed in Chapter 17.23.

**17.19.030 Development Standards (see also Exhibit 19-1)**

A. Lot Area

4,200 square feet, minimum

B. Lot Frontage and Depth

1. The minimum lot (width) frontage for the R-1 (MH) zone is as follows:

50 feet

2. The minimum lot depth the R-1 (MH) zone is as follows:

80 feet

C. Building Height

The maximum height of residential structures shall be 25 feet/2 stories; the maximum height of accessory structures shall be 16 feet.

D. Lot Coverage

The maximum lot coverage by structures shall be 75 percent.

E. Yard Requirements

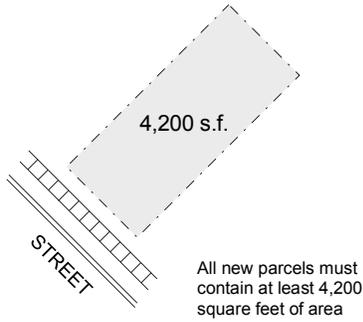
All setbacks are to be measured from property boundaries. Accessory buildings (such as storage sheds, etc.) typically have different setback requirement from primary buildings.

1. Front Yard:

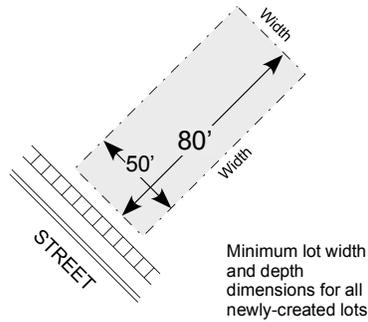
a. 10 feet, minimum

**Exhibit 19-1: Summary of Standards in the R-1 (MH) Zone**

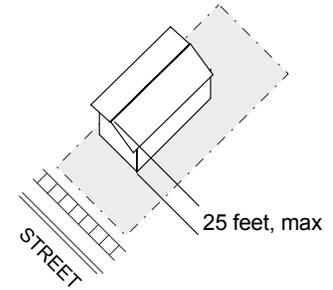
**Lot Size**



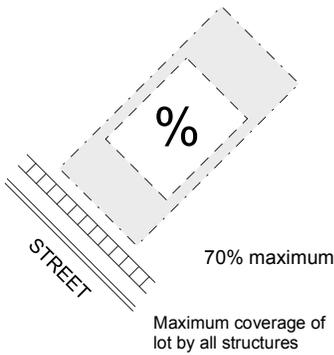
**Width & Depth**



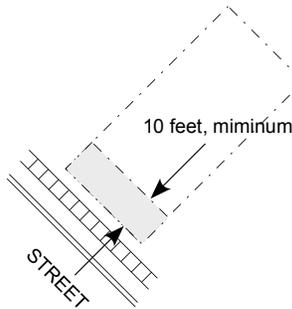
**Building Height**



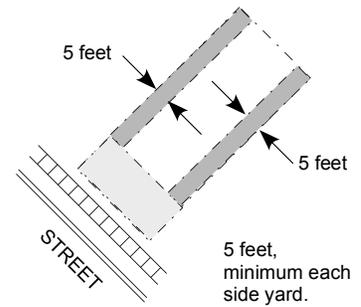
**Lot Coverage**



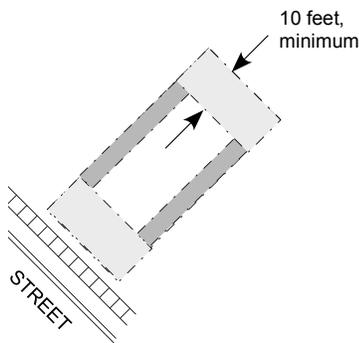
**Front Yard**



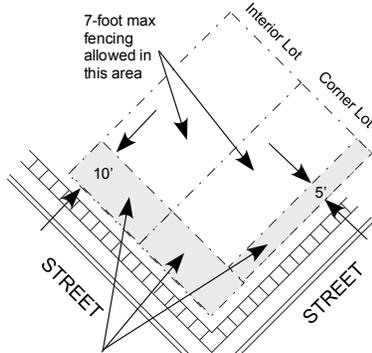
**Side Yard**



**Rear Yard**

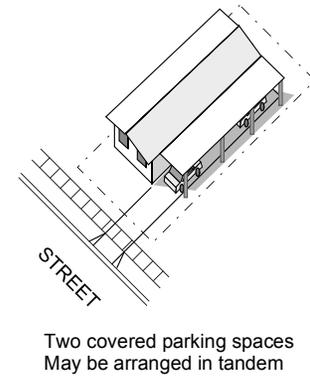


**Fences, Walls and Hedges**  
 shown for interior lots and corner lots



36" high fencing allowed in the required 10-foot front yard setback and 5-foot street side yard on corner lots (fencing may be 4 feet high if top one-foot is open, see-thru material (like wrought iron))

**Parking**



Farmersville Zoning Ordinance  
Chapter 19: "R-1(MH)" Zone (Single Family Residential – Mobile Home)

2. Side Yards:  

Interior side yards: 5 feet minimum
3. Rear Yard:  

10 feet, minimum
4. Exceptions and Accessory Buildings:
  - a. Architectural features, including eaves, sills, chimneys, cornices, and bay windows may extend up to 30 inches into a required yard.
  - b. Accessory structures (such as garden sheds) may have zero side yard or interior rear yard setback, provided the structure is no higher than 12 feet tall, and is located behind the required front yard setback and the required side yard setback on the street side yard of a corner lot.

**17.19.040 Fences and Walls (see Exhibit 19-1)**

Fences and walls are subject to the following height and location restrictions. Fences and walls shall not protrude across property lines.

A. Front Yards:

Within a required front yard setback area, fences and walls shall not exceed three feet in height (except that a fence or wall may be four feet in height if more than 50 percent of the structure is see-through). Regardless of location, fences shall not obstruct access to utility meters.

B. Rear and Side Yards:

Fences and walls shall not exceed seven feet in height along any side or rear property line.

C. Corner Lot Standards

Fencing along the street side of corner lots must be set back at least five feet behind the public sidewalk (or five feet behind curbing where no sidewalk exists).

**17.19.050 Off-Street Parking Standards (see also Exhibit 19-1)**

- A. For a single family dwelling, a minimum of two covered parking stalls shall be required on the site. Each space shall have a minimum width of 10 feet and a minimum depth of 20 feet. All parking spaces and driveways shall have a concrete or asphalt surface. Parking stalls may be arranged in tandem fashion.
- B. Non-residential uses in this district shall provide off-street parking consistent with Chapter 17.47 Parking and Loading.

**17.19.060 Signs**

Signs shall be consistent with the requirements detailed in Chapter 17.49 Signs.

**17.19.070 Design Standards**

The following standards shall apply to all single-family dwellings, including manufactured and mobile homes, that are established in the R-1 districts.

- A. Any mobile home or modular structure shall be no less than ten years old at the date of installation.
- B. The minimum width of a single-family dwelling or a manufactured or mobile home shall be 20 feet.
- C. Mobile homes and manufactured homes must be certified under the National Manufactured Home Construction and Safety Act of 1974.
- D. All residential dwellings shall be attached to a permanent foundation.
- E. The roofs of all residential dwellings shall be composed of composition shingles, ceramic tiles, metal or wood shakes or shingles. The pitch of the roof shall not be less than three inches of vertical rise over 12 inches of horizontal run. The roof overhang shall not be less than 12 inches around the building perimeter.
- F. The exterior siding of all residential dwellings shall be composed of wood, masonry, plaster, or metal sheathing.
- G. Siding shall extend to the ground, except when a solid concrete or masonry perimeter foundation or retaining wall is used in which case the siding material need only extend to the top of the foundation or wall.



## **RM Zones (Multiple Family Residential)**

### **Sections**

<b>17.21.010</b>	<b>Purpose</b>
<b>17.21.020</b>	<b>Subdistricts</b>
<b>17.21.030</b>	<b>Permitted Uses</b>
<b>17.21.040</b>	<b>Site Plan Review</b>
<b>17.21.050</b>	<b>Development Standards</b>
<b>17.21.060</b>	<b>Design Guidelines</b>
<b>17.21.070</b>	<b>Energy Conservation</b>
<b>17.21.080</b>	<b>Water Conservation</b>

### **17.21.010 Purpose**

The purpose of the RM districts is to provide living areas within Farmersville where development is limited to medium and high-density areas of multi-family dwellings along with other uses suitable to the intent of the zone, and where regulations are designed to promote the following:

- (1) a suitable environment for family life (recognizing that a significant part of the multi-family population is adult, including senior citizens);
- (2) space for community facilities, including parks, schools, churches and other facilities that will complement the residential environment;
- (3) attractive and unique development projects that encompasses well-designed buildings with ample landscape and off-street parking;
- (4) the conservation of valuable resources ranging from water to energy and
- (5) housing that is affordable to low- and moderate-income households and to households that have special housing needs.

**17.21.020 Subdistricts**

In order to adequately plan for multi-family development at various densities, the following sub-districts are established:

RM-1.5 (“Medium-High Density Multi-Family Residential”) one unit per 1,500 square feet of lot area); and

RM-3 (“Low-Density Multi-Family Residential”) one unit 3,000 square feet of lot area).

The RM-1.5 district is consistent with the “Medium-High Density Residential” designation of the Farmersville General Plan, and the RM-3 district is consistent with the “Medium Density Residential” residential designation of the Farmersville General Plan.

**17.21.030 Permitted and Conditionally-Permitted Uses**

Uses that are permitted and conditionally-permitted in the RM zones are as listed in Chapter 17.23 (Permitted Uses in Residential Zones).

**17.21.040 Site Plan Review**

No multi-family uses may be established on any lot or site in this district until a site plan has been submitted and approved consistent with Chapter 17.53 (Site Plan Review). Qualified affordable multi-family projects may be eligible for the streamlined process outlined in Chapter 17.41 (Special Uses

**17.21.050 Development Standards (also illustrated in Exhibits 21-1, 21-2, 21-3 and 21-4).**

All development in the RM zones must comply with the following zoning standards, including:

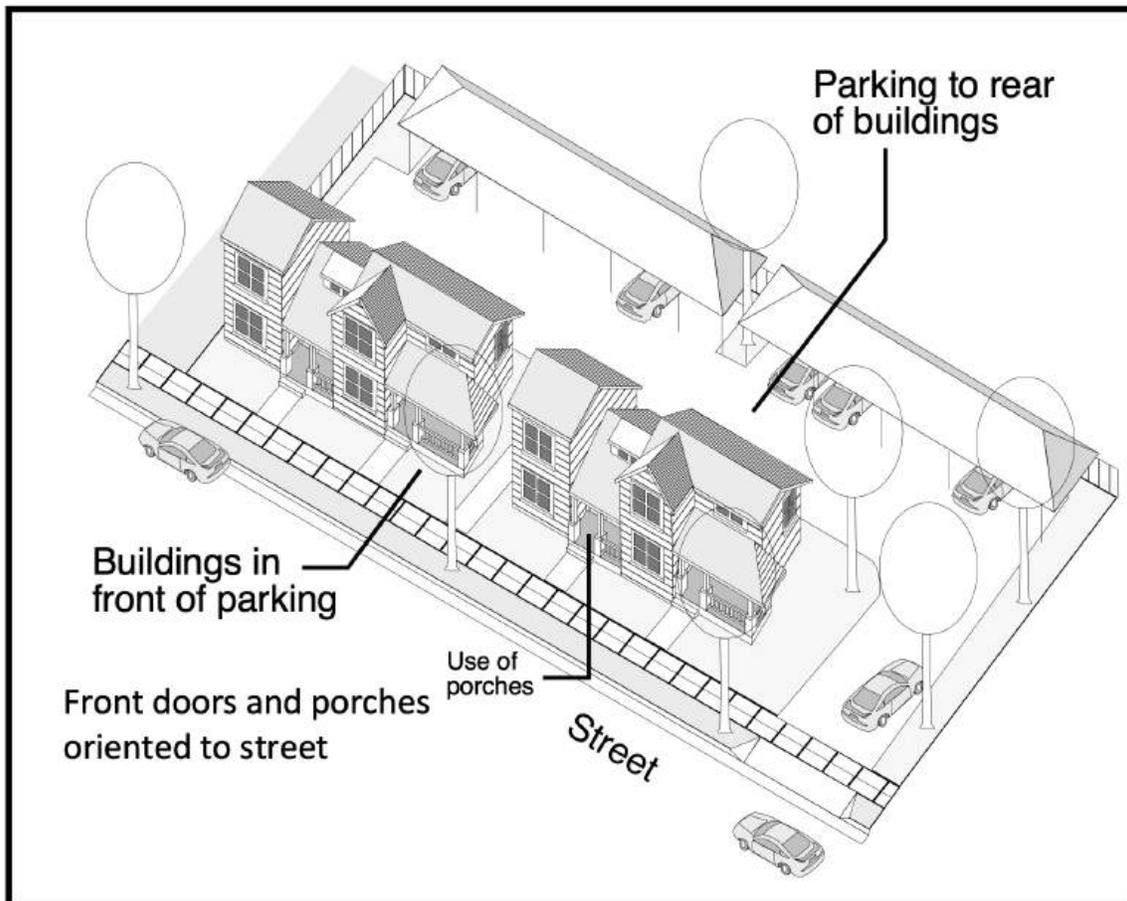
- a. Building Orientation and Porch Requirement
- b. Density
- c. Lot size, width and depth
- d. Building Height
- e. Setbacks
- f. Distance between buildings
- g. Outdoor Recreational Areas
- h. Fences
- i. Landscaping

- j. Parking
- k. Signs

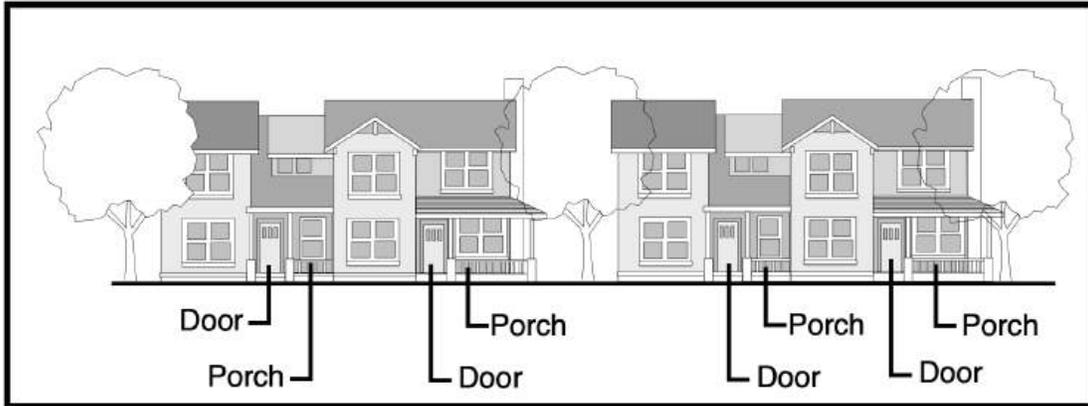
a. Building Orientation and Porch Requirement (also see Exhibits 21-1 and 21-2)

To the extent feasible (where lateral space exists), projects on parcels adjacent to local and collector streets shall be designed with a row of buildings immediately adjacent to the street and parking to the rear of the buildings (see Exhibits 21-1 and 21-2). Ground-floor units in said buildings shall be designed with the front door opening toward the street and a useable covered porch (facing the street) measuring at least eight feet wide and six feet deep. Units elsewhere on the site are not required to have porches, though it is encouraged.

**Exhibit 21-1: *Street Orientation and Porch Requirement***



**Exhibit 21-2 Front Porch and Door Orientation**



*Ground floor units along streets shall be oriented to face the street with the front door opening onto a useable porch.*

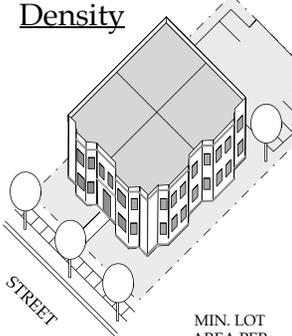
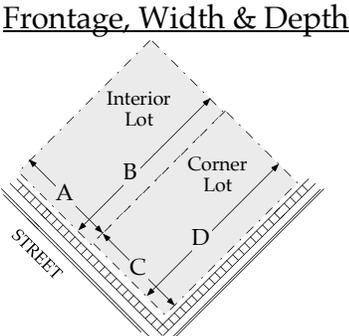
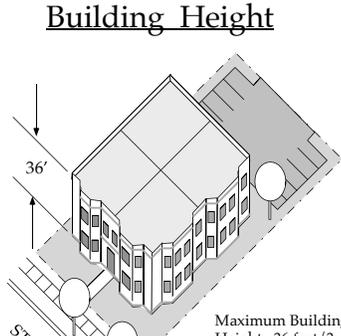
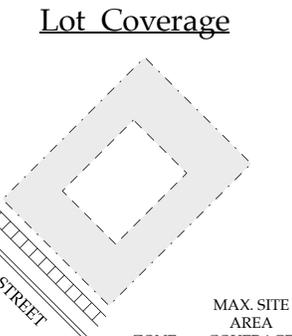
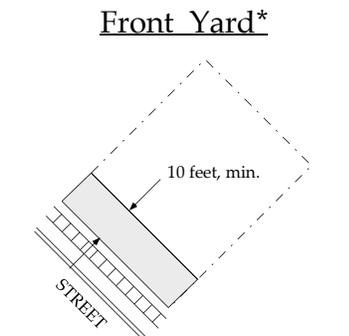
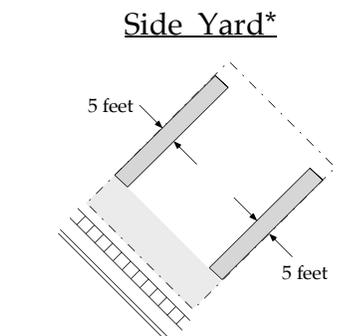
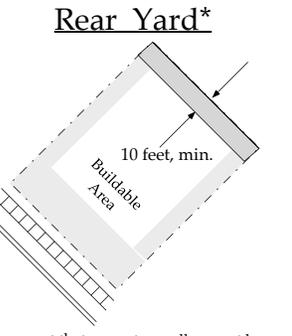
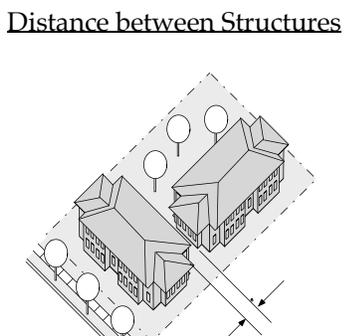
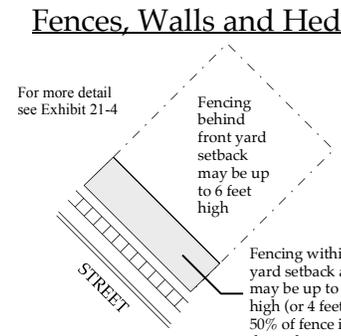
b. Density

The maximum unit densities for Farmersville’s multi-family residential districts are as follows:

<u>District</u>	<u>Maximum Unit Density</u>
RM-3	one dwelling per 3,000 square feet of lot area.
RM-1.5	one dwelling per 1,500 square feet of lot area. Residential development on parcels larger than $\frac{3}{4}$ acre shall have a minimum density of 20 units per acre to ensure affordability, consistent with State affordability standards (unless it can be demonstrated that affordability (to State of California standards) can be achieved with a lesser density).

Farmersville Zoning Ordinance  
Chapter 21: RM Zones (Multi-Family Residential)

**Exhibit 21-3: Selected Development Standards in the RM-1.5 and RM-3 Zones**

<p><b>Density</b></p>  <p>MIN. LOT AREA PER UNIT</p> <table border="1"> <thead> <tr> <th>Number of units permitted depends on lot size.</th> <th>ZONE</th> <th>MIN. LOT AREA PER UNIT</th> </tr> </thead> <tbody> <tr> <td></td> <td>RM-3</td> <td>3,000 sq. ft.</td> </tr> <tr> <td></td> <td>RM-1.5</td> <td>1,500 sq. ft.*</td> </tr> </tbody> </table> <p>* See also FMC Section 17.21.6 b.</p>	Number of units permitted depends on lot size.	ZONE	MIN. LOT AREA PER UNIT		RM-3	3,000 sq. ft.		RM-1.5	1,500 sq. ft.*	<p><b>Frontage, Width &amp; Depth</b></p>  <table border="1"> <thead> <tr> <th colspan="2">Interior Lots "A" "B"</th> <th colspan="2">Corner Lots "C" "D"</th> </tr> <tr> <th>Width</th> <th>Depth</th> <th>Width</th> <th>Depth</th> </tr> </thead> <tbody> <tr> <td>60 feet</td> <td>100 feet</td> <td>65 feet</td> <td>100 feet</td> </tr> </tbody> </table>	Interior Lots "A" "B"		Corner Lots "C" "D"		Width	Depth	Width	Depth	60 feet	100 feet	65 feet	100 feet	<p><b>Building Height</b></p>  <p>Maximum Building Height: 36 feet/3 stories</p> <p>Accessory structures may be up to 12 feet high.</p>
Number of units permitted depends on lot size.	ZONE	MIN. LOT AREA PER UNIT																					
	RM-3	3,000 sq. ft.																					
	RM-1.5	1,500 sq. ft.*																					
Interior Lots "A" "B"		Corner Lots "C" "D"																					
Width	Depth	Width	Depth																				
60 feet	100 feet	65 feet	100 feet																				
<p><b>Lot Coverage</b></p>  <table border="1"> <thead> <tr> <th>Maximum coverage of parcel by all structures</th> <th>ZONE</th> <th>MAX. SITE AREA COVERAGE</th> </tr> </thead> <tbody> <tr> <td></td> <td>RM-3</td> <td>60%</td> </tr> <tr> <td></td> <td>RM-1.5</td> <td>80%</td> </tr> </tbody> </table>	Maximum coverage of parcel by all structures	ZONE	MAX. SITE AREA COVERAGE		RM-3	60%		RM-1.5	80%	<p><b>Front Yard*</b></p>  <p>10 feet, min.</p> <p>* A carport that opens to a street must be set back at least 20 feet from the back of sidewalk or property line, whichever is greater.</p>	<p><b>Side Yard*</b></p>  <p>5 feet</p> <p>Setback: 5 feet minimum; Corner lots shall have a setback of 10 feet on the street side yard; 20 feet for carports that back to the street.</p>												
Maximum coverage of parcel by all structures	ZONE	MAX. SITE AREA COVERAGE																					
	RM-3	60%																					
	RM-1.5	80%																					
<p><b>Rear Yard*</b></p>  <p>10 feet, min.</p> <p>Buildable Area</p> <p>A carport that opens to an alley must be set back at least 5 feet from the alley.</p> <p>* See exceptions for yards in Section 17.21.050 f.</p>	<p><b>Distance between Structures</b></p>  <p>10 feet, all RM zones</p>	<p><b>Fences, Walls and Hedges</b></p> <p>For more detail see Exhibit 21-4</p>  <p>Fencing behind front yard setback may be up to 6 feet high</p> <p>Fencing within front yard setback area may be up to 3 feet high (or 4 feet high if 50% of fence is see-through)</p> <p>Special standards apply for corner lots. See Section 25-19.9</p>																					

Farmersville Zoning Ordinance  
Chapter 21: RM Zones (Multi-Family Residential)

c. Lot Frontage, Depth and Area

1. The minimum lot frontage for newly established lots in the RM-3 and RM-1.5 zones are as follows:

<u>Interior Lot</u>	<u>Corner Lot</u>
60 feet, minimum	65 feet, minimum

Lots on cul-de-sacs or curve-frontage lots must have a minimum width of 40 feet at the street right-of-way.

2. The minimum lot depth for newly-established lots in all multi-family zones is 100 feet.
3. The minimum area of all newly-created lots for each of Farmersville's multi-family residential districts are as follows:

<u>District</u>	<u>Minimum Lot Area</u>
RM-1.5	6,500 square feet, minimum
RM-3.0	7,500 square feet, minimum

d. Building Height

The maximum height of all structures shall not exceed 36 feet or three stories; the maximum height of accessory structures shall be 12 feet.

e. Lot Coverage

<u>District</u>	<u>Coverage</u>
RM-3.0	60 percent, maximum
RM-1.5	80 percent, maximum

Farmersville Zoning Ordinance  
Chapter 21: RM Zones (Multi-Family Residential)

f. Yard Requirements

Yard requirements (building setbacks) for structures in the RM-1.5 and RM-3.0 zones shall be as follows (all measurements are from property lines unless noted otherwise):

Front Yard:	10 feet, minimum, however a garage or carport with driveway opening directly to the street must be set back at least 20 feet behind the sidewalk.
Side Yards:	
Interior side yard:	5 feet, minimum
Corner lot street side:	10 feet, minimum, except a garage or carport with driveway opening directly to the street must be set back at least 20 feet behind the sidewalk.
Rear Yard:	10 feet, minimum. A carport or garage opening to an alley must be set back at least 5 feet from the alley right-of-way.
Special Requirements:	
<ul style="list-style-type: none"> <li>(1) Detached accessory structures no taller than 12 feet may have a zero rear or side yard setback if set back behind the front yard setback, and behind the side yard setback on the street side yard of a corner lot.</li> <li>(2) A detached Accessory Dwelling Unit no higher than 18 feet may be set back a minimum of four feet from a rear or interior side property line, provided the structure is behind the front yard setback.</li> <li>(3) Architectural features, including eaves, sills, chimneys, cornices, and bay windows may extend up to 30 inches into a required side yard.</li> <li>(4) No building shall be located closer than 5 feet to an alley.</li> <li>(5) Portable, prefabricated carports are prohibited between a dwelling and any street abutting the lot.</li> </ul>	

g. Minimum Distance Between Buildings on the Same Lot:

The minimum distance between a structure used for human habitation and another structure (such as another dwelling, detached garage, carport, or storage shed, etc.) shall be ten feet.

h. Fences, Walls and Hedges (see Exhibit 21-4)

- 1. Where a project on a site zoned multi-family residential shares a property line with a single family residential, commercial or industrially-zoned site (or use), a 7-foot solid block wall shall be constructed along the property line common to the two land uses.

Farmersville Zoning Ordinance  
Chapter 21: RM Zones (Multi-Family Residential)

2. Front Yards:

Fences, walls and hedges in a required front yard setback area shall not exceed three feet in height, except that a fence or wall may be four feet in height if more than 50 percent of the top one-foot of the structure is see-through (such as wrought-iron).

3. Rear and Side Yards:

Fences, walls, and hedges in the area behind the required front yard setback shall not exceed seven feet in height.

3. Fences on the Street Side Yards of Corner Lots

Fences, walls and hedges within ten feet of the property line along the street side yard of a corner lot shall not exceed three feet in height, except that a fence or wall may be four feet in height if more than 50 percent of the top one-foot of the structure is see-through (such as wrought-iron).

4. Corner visibility triangle

Street Intersection

No fencing higher than 3 feet shall be placed in the corner area of a lot formed by a triangle with its right angle at corner of the lot adjacent to the street intersection and right angle sides measuring 30 feet long.

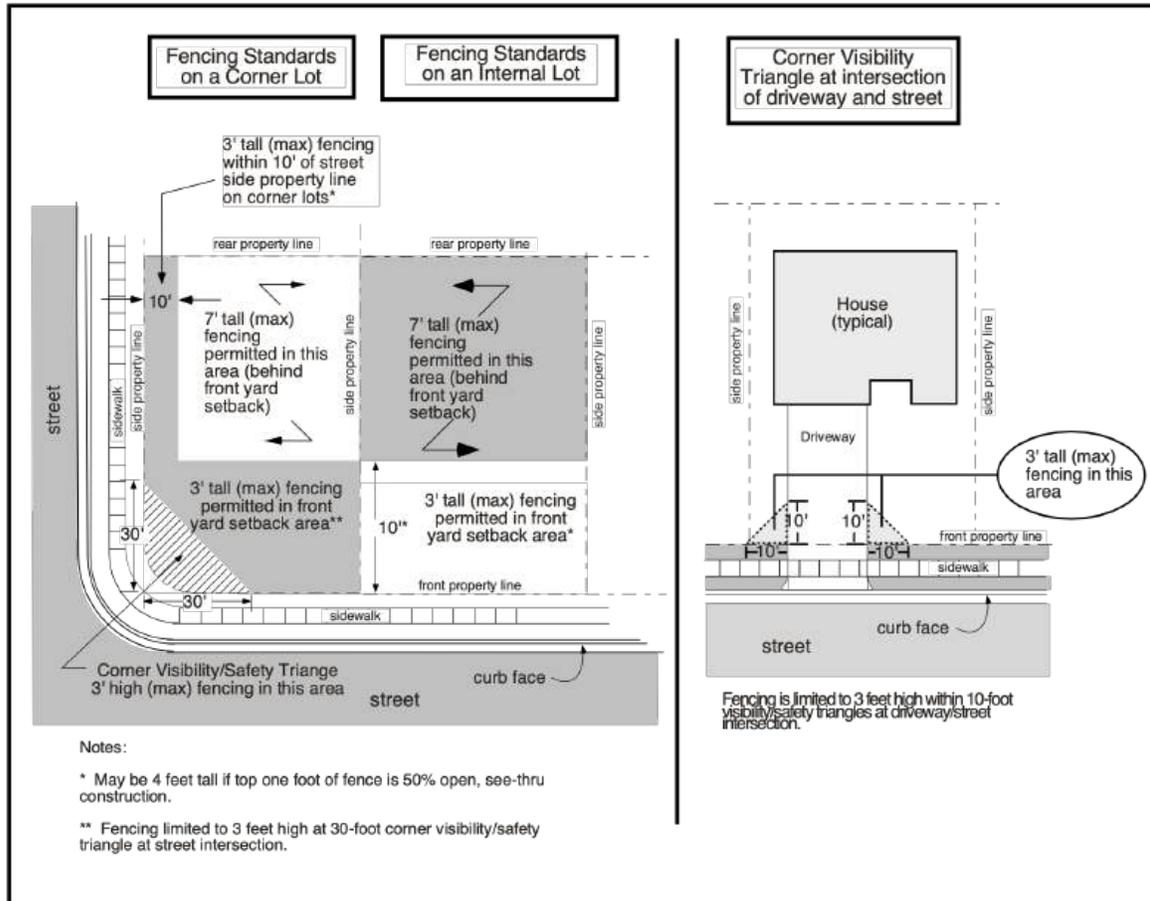
Driveway/Street Intersection

No fencing higher than 3 feet shall be placed in triangular areas situated where a driveway intersects a street. The affected area is defined as a triangle where the right angle corner is set at the point where the driveway intersects the property line, and the right angle sides measure ten feet long.

5. Materials such as razor wire, concertina wire, barbed wire, wooden pallets, plywood and similar are prohibited in residential zones (except for temporary construction yards associated with a development project).

6. For non-residential uses, the fencing standards of Chapter 17.25 (CG Zone) shall apply.

**Exhibit 21-4: Fencing Standards Shown on Typical Lots**



i. Off-Street Parking and Loading Facilities

1. For studio units, one-bedroom units and affordable multi-family projects, one parking space per dwelling shall be provided on the site, consistent with design standards in Chapter 17.47 (Parking and Loading). One stall per unit shall be covered with a carport or garage. All parking spaces, driveways and parking lots shall have a concrete or asphalt surface, consistent with the Farmersville Improvement Standards.
2. For multi-family units with two or more bedrooms at least 1.5 parking spaces shall be provided per unit. Further, one space per dwelling shall be located in a garage or carport.

Farmersville Zoning Ordinance  
Chapter 21: RM Zones (Multi-Family Residential)

3. Parking lots shall be designed to preclude backing on vehicles onto public streets. All parking spaces shall be located on the same site as the dwelling unit they serve.
2. Non-residential uses in this District shall provide off-street parking consistent with Chapter 17.47 (Parking and Loading).

j. Open Space and Recreation Areas

Any multiple family project approved under a site plan review permit shall dedicate at least five (5) percent of the site to open, common, usable space and/or recreational facilities for use by tenants as a part of that plan. The calculated space shall not include parking areas or setback areas adjacent to a street. Shared open space could include parks, playgrounds, sports courts, swimming pools, gardens, barbecue areas and covered patios or gazebos open on at least three (3) sides. Further, the calculated space shall not include enclosed meeting or community rooms.

k. Signs

Signs shall be consistent with the requirements detailed in Chapter 17.49 (Signs).

**17.21.060 Design Guidelines**

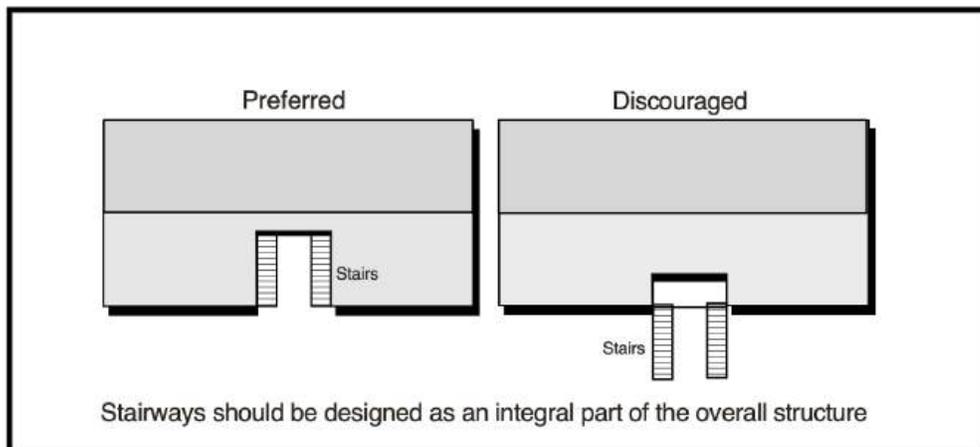
The following flexible guidelines will also be applied to all multi-family developments.

- a. The architectural design of multi-family developments to the best extent possible should be compatible with adjacent residential neighborhoods. Compatibility may involve the use of materials, color, scale, roof pitch, and other physical features that would assist in blending the new multi-family development with surrounding residential uses.
- b. The architectural design of multi-family developments that are not adjacent to or within existing residential neighborhood shall consider the following design standards:
  1. Long, unbroken building facades and box-like building forms are discouraged. Building facades should be varied by alternating building planes, building material, color and building heights. Other approaches to providing attractive multi-family structures could involve alternating the patterns of window and door opening; the use of projections such as balconies, porches and awnings; and changing setbacks and softening the building facade with tree plantings.

Farmersville Zoning Ordinance  
Chapter 21: RM Zones (Multi-Family Residential)

2. Setbacks should be varied with individual structures.
3. The roof lines of multi-family structures should be altered to provide a varied horizontal view.
4. There should only be a maximum of two adjacent multi-family units with identical wall and roof line planes.
5. It is important that door and window openings be articulated on the face of the multi-family structure. Articulation can include framing, insets or shutters for windows and insets, framing and color for doorways.
6. Materials used for multi-family developments should be durable and of low-maintenance. Where possible, exterior siding should provide a distinctive appearance, such as lap siding, shingle siding, river rock, brick, or flagstone.
7. Stairways should be designed as an integral part of the overall multi-family development. Materials used on the building should be incorporated into the stairway design (see Exhibit 21-5). Stairways should not be a dominant exterior feature on the building but should be sited so that they are not visually prominent.

**Exhibit 21-5: Stairways**



- c. Parking lots and carports or garages should be designed to blend in with the overall multi-family project.

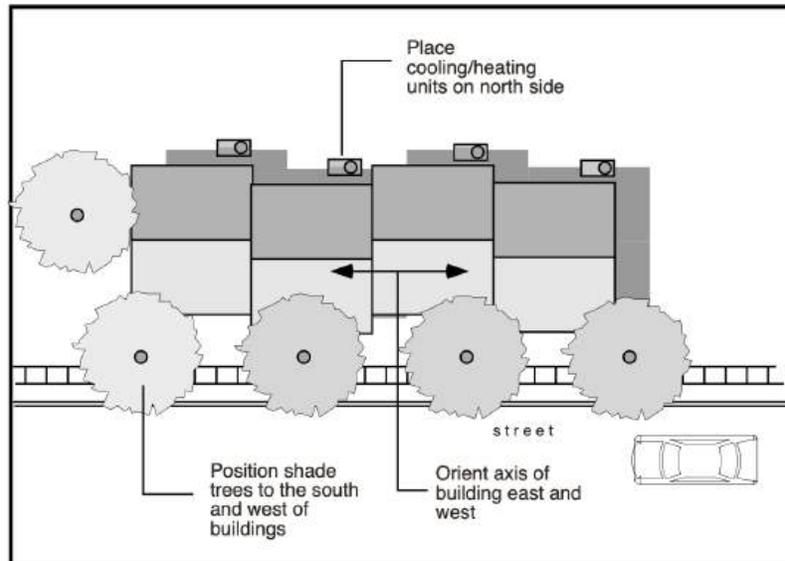
Farmersville Zoning Ordinance  
Chapter 21: RM Zones (Multi-Family Residential)

1. Long, unbroken rows of parking spaces are discouraged. Where possible, these rows should be broken by landscaped islands, buildings, or garages.
  2. Carports should contain design elements that make the structures visually interesting, such as gabled roofs or articulated support beams.
- d. Special design treatment should be given to the entryways and street corners of multi-family projects.
1. The street corners of multi-family projects should be enhanced visually with features like landscaping, walls, lighting, fountains, trellises, signage, public art, etc.
  2. Project entryways should be given special treatment such as stamped concrete driveways, metal gates with pilasters or landscaped medians.
- e. All common areas shall be provided with landscaping and an automated irrigation system. Landscaping shall be consistent with Chapter 17.45 (Landscaping, Irrigation and Grading).
- f. All trash enclosures shall be surrounded by a 6-foot solid block wall and a metal gate. An overhead decorative arbor should be constructed over the trash enclosure, to improve appearance. The exterior to the enclosure shall be landscaped.
- g. All roof-mounted mechanical equipment shall be screened from view.

**17.21.070 Energy Conservation**

- a. To the greatest extent possible, buildings should be designed with the greatest building length running east and west to take advantage of passive solar design opportunities (see Exhibit 21-6).
- b. All ground-mounted heating/cooling units shall be located on the east side of a building that fronts onto an east/west roadway, and on the north side of a building that fronts onto a north/south roadway (this locational feature will conserve energy).
- c. The landscaping plan for the multi-family complex should feature the planting of deciduous trees on the south and west sides of the residential complex (this locational design feature will conserve energy).

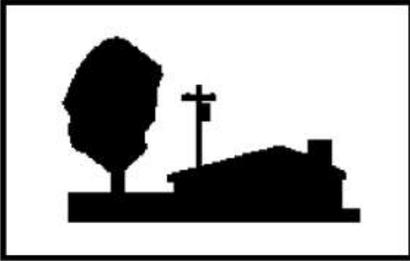
**Exhibit 21-6: Energy Conservation**



**17.21.080 Water Conservation**

- a. All residential projects that contain more than 2,500 square feet of landscaped area shall comply with water conservation regulations contained in Chapter 17.45 (Landscaping, Irrigation and Grading).
- b. Not more than fifty percent of the front yard landscaping shall be devoted to turf. Shrubs planted in the front yard shall be drought-tolerant species (these design features will conserve water).
- c. All landscaping shall be provided with an automated irrigation system that employs water-conserving irrigation features.

## CHAPTER 23



# Residential Land Use Table

### Sections:

- 17.23.010 Purpose**
- 17.23.020 Permitted Uses**

### **17.23.010 Purpose**

This chapter establishes a list of uses that are permitted in residential zones as well as “O” (Open Space) and “UR” (Urban Reserve) zones within the City of Farmersville. The intent is to ensure (to the degree practical) that specific uses function in a harmonious manner and that uses with similar operating characteristics are reasonably grouped and do not conflict with one another or surrounding areas and zones.

### **17.23.020 Permitted Uses Table**

Table 23-1 lists uses that are permitted in Dinuba’s residential and public zones. Permitted uses are listed in the left column and zones are listed across the top. To determine whether a particular use is permitted (and whether it is subject to any special requirements) each box is marked with one of the following:

- “P” Permitted
- “C” Permitted by Conditional Use Permit
- “-(S)” Where the use is listed as permitted (or Conditionally Permitted) along with the letter “(S)”, the use is permitted subject to special standards contained in Chapter 17.43 (Special Uses).
- A box in the table with no letter indicates that the use is not permitted in this zone.

Any use that is judged by the City Planner to be reasonably similar in nature to other permitted uses may be considered a permitted use. Further, any use judged by the City Planner to be reasonably similar in nature to a Conditionally Permitted use may be considered as such (permitted by Conditional Use Permit).

**Table 1—Permitted uses.**

The following table lists uses that are permitted and conditionally-permitted in residential and similar zones in Farmersville.

Table 23-1: Permitted Uses in Residential, Urban Reserve and Open Space Zones				
USES	Zones			
	R-1 zones	RM zones	U-R	O-S
Accessory buildings and uses customarily appurtenant to a permitted use	P	P	P	P
Accessory Dwelling Units and Junior Accessory Dwelling units (subject to standards contained in Chapter 17.43: Special Uses)	P	P	P	
Agricultural employee housing (seven or more employees) up to thirty-six beds in a group quarters or up to twelve units or spaces designed for use by a single family household		CUP	CUP	
Agricultural employee housing (six or fewer persons)	P	P	P	
Agricultural employee housing over thirty-six beds in a group quarters or up to twelve units or spaces designed for use by a single family household		CUP	CUP	
Cannabis businesses and commercial cannabis activity				
Churches	CUP	CUP	CUP	CUP
Communication and wireless facilities, with stealthing			CUP (S)	
Day care for a maximum of fourteen (14) children in addition to the residing family	P	P		
Day care in excess of twelve (12) adults	C	C	C	
Day care up to twelve (12) adults in addition to the residing family	P	P		
Duplexes	P	P		
Emergency housing		P		

Key to Symbols in Table: "P" = use is permitted; "CUP" = Conditional Use Permit is required; No symbol means the use is not permitted in that zone.

Farmersville Zoning Ordinance  
DRAFT Chapter 23: Permitted Uses in Residential Zones

Table 23-1: Permitted Uses in Residential, Urban Reserve and Open Space Zones				
USES	Zones			
	R-1 zones	RM zones	U-R	O-S
Family child care home (small and large)	P	P	P	
Fruit and nut tree raising, vegetables and horticultural specialties (excluding cannabis)	P	P	P	P
Home occupations	P	P	P	
Manufactured and/or mobile homes on permanent foundations. Manufactured and/or mobile homes shall not be permitted if more than ten (10) years have elapsed between the date of manufacture of the manufactured home and the date of issuance of a permit to install the manufactured home.	P	P	P	
Mobile home parks	CUP(S)	CUP(S)		
Multiple family dwellings		P		
Nursing and convalescent homes	P	P		
Parks and recreational facilities, including playgrounds, parks, community centers, golf courses, golf driving ranges, and swimming pools			CUP	CUP
Raising or cultivation of medical marijuana				
Residence for a caretaker or watchman as an accessory use for a permitted or conditionally permitted use	P	P	P	
Residential care facilities or foster homes	P	P	P	
Schools (public and private)	CUP		CUP	
Single room occupancy units		P		

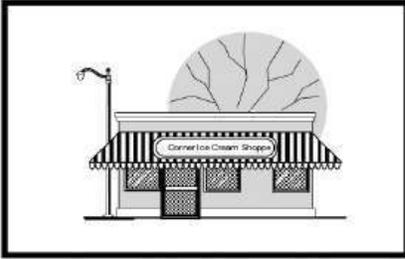
Key to Symbols in Table: "P" = use is permitted; "CUP" = Conditional Use Permit is required; No symbol means the use is not permitted in that zone.

Farmersville Zoning Ordinance  
DRAFT Chapter 23: Permitted Uses in Residential Zones

Table 23-1: Permitted Uses in Residential, Urban Reserve and Open Space Zones				
USES	Zones			
	R-1 zones	RM zones	U-R	O-S
Single-family dwellings	P	P	P	
Supportive housing		P		
Temporary tract offices	P	P	P	
Transitional housing	P	P	P	
Other uses determined to be reasonably similar in nature and intensity to those that are permitted in that particular zone, as determined by the City Planner.	P	P	P	P
Other uses determined to be reasonably similar in nature and intensity to those that are conditionally permitted in that particular zone, as determined by the City Planner.	CUP	CUP	CUP	CUP

Key to Symbols in Table: "P" = use is permitted; "CUP" = Conditional Use Permit is required; No symbol means the use is not permitted in that zone.

## CHAPTER 25



## CG Zone (General Commercial)

### Sections

- 17.25.010 Purpose
- 17.25.020 Permitted and Conditionally Permitted Uses
- 17.25.030 Site Plan Review
- 17.25.040 Design Guidelines
- 17.25.050 Development Standards
- 17.25.060 Fences, Walls and Hedges
- 17.25.070 Off-Street Parking and Loading Facilities
- 17.25.080 Signs
- 17.25.090 Landscaping
- 17.25.100 Special Conditions

### 17.25.010 Purpose

The purpose of the General Commercial district is to provide for the development of a wide variety of commercial uses, including stores, restaurants, offices, service uses and automobile-oriented businesses that serve the daily needs of the community. The design of such commercial uses shall be of a scale and design that is compatible with the surrounding neighborhoods.

### 17.25.020 Permitted and Conditionally-Permitted Uses

Permitted uses and conditionally-permitted uses in the CG zone are listed in Chapter 17.33 (Permitted Uses in Commercial Zones).

### 17.25.030 Site Plan Review

No development that is listed as permitted (or conditionally-permitted) shall be constructed on any lot or site in this district until a site plan has been submitted and

approved consistent with Chapter 17-53 (Site Plan). For uses subject to a Conditional Use Permit, the site plan review process will be combined with and incorporated into the Conditional Use Permit process, as noted in Chapter 17.55 (Conditional Use Permits).

**17.25.040 Design Guidelines**

New development in the CG zone shall be designed consistent with the guidelines shown in Chapter 17.33 (Commercial Design Guidelines).

**17.25.050 Development Standards (see also Exhibit 21-1 for a summary of development standards)**

a. Site Area, Lot Frontage and Depth

No requirement.

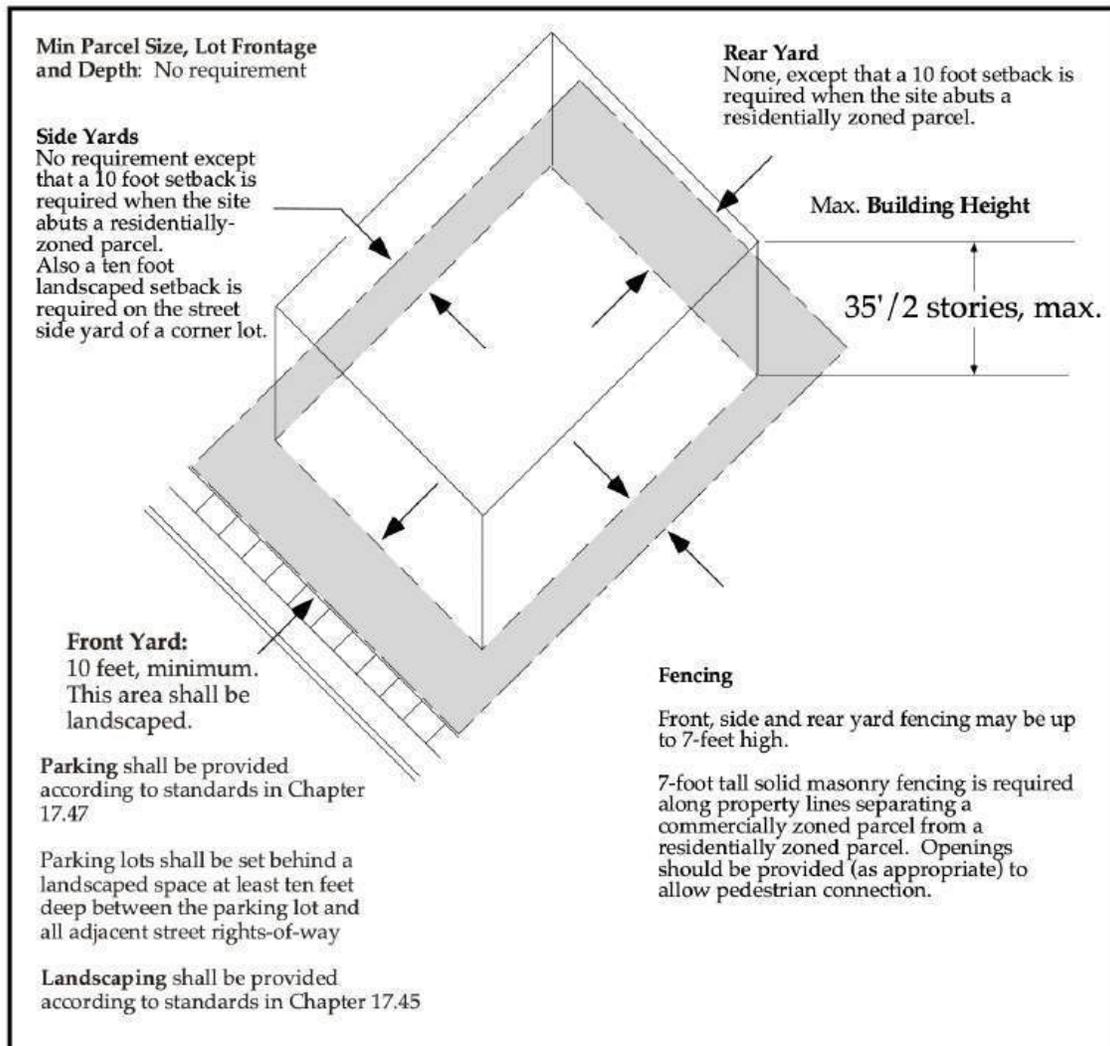
b. Building Height

The maximum height of commercial structures shall be 35 feet/two stories;

c. Yards

1. Front: 10 feet, minimum. Further, parking lots shall be separated by a landscaped setback of at least ten feet from the front property line, and also the side property line for the street side yard on corner lots.
2. Side: No requirement except where:
  - i. the subject property abuts a residential district, wherein the minimum side yard shall be 10 feet, or
  - ii. where the site is a corner lot, in which a 10 foot landscaped setback is required on the street side yard.
3. Rear: No requirement unless the subject property abuts a residential district, wherein the minimum side yard shall be 10 feet.

**Exhibit 21-1: Zoning Standards**



**17.25.060 Fences, Walls and Hedges**

- a. Front, Side and Rear Yards: Fences, walls, and hedges shall not exceed seven feet in height along any front, side or rear property line.
- b. Where a property zoned CG abuts a residential district, a 7-foot high solid block masonry wall shall be constructed along the property line between the two uses. Where appropriate, openings should be provided to allow pedestrians to travel between the two uses.

**17.25.070 Off-Street Parking and Loading Facilities**

- a. Uses in the CG District shall provide the number of off-street parking spaces consistent with Chapter 17.47 (Parking and Loading).
- b. Parking lots constructed in CG district shall be designed and constructed so that within five years of construction, 50 percent of the parking lot is shaded by trees.
- c. Parking lots shall be separated from buildings by raised sidewalks or curbing.
- d. Parking lots shall be designed to accommodate solid waste pick-up.
- e. Parking lots shall be designed consistent with standards contained in the Farmersville Improvements Manual

**17.25.080 Signs**

Signs shall be consistent with the requirements detailed in Chapter 17.49 (Signs).

**17.25.090 Landscaping**

- a. A landscaping and irrigation plan shall be submitted to the City Planner for review and approval consistent with the standards in Chapter 17.45 (Landscaping). All setback areas along streets shall be landscaped with an appropriate combination of groundcover, shrubs and trees.
- b. The landscaping and irrigation plan shall show a tree-planting scheme in the parking lot that will result in 50 percent of the parking lot being shaded within five years.
- c. The landscaping and irrigation plan shall provide for a minimal amount of turf and shall incorporate a variety of xerophytic plants, mulch to reduce water use, and an automated irrigation system that incorporates water conservation technology, including drip irrigation, smart irrigation controllers, and low-flow irrigation heads.
- d. Parking lots should be screened from adjacent public roadways by low walls and/or hedges.

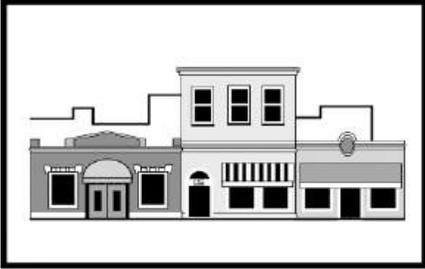
Farmersville Zoning Ordinance  
Chapter 25: CG Zone (General Commercial)

- e. Vines and climbing plants should be used on buildings, trellises and perimeter walls in order to soften the appearance on the buildings, beautify the site, and prevent graffiti.
- f. All trash enclosures shall be surrounded by a 6-foot solid block wall and the area around the enclosure shall be landscaped. The gate to the enclosure shall be constructed of metal.

**17.25.100 Special Conditions**

- a. All processes, businesses and services shall be conducted entirely within a completely enclosed structure, except for off-street parking and off-street loading areas, gasoline sales, outdoor dining areas and nurseries.

## **CHAPTER 27**



## **CD Zone (Downtown Commercial)**

### **Sections**

- 17.27.010 Purpose**
- 17.27.020 Permitted Uses**
- 17.27.030 Uses Expressly Prohibited**
- 17.27.040 Site Plan Review**
- 17.27.050 Development Standards**
- 17.27.060 Fences, Walls and Hedges**
- 17.27.070 Off-Street Parking and Loading Facilities**
- 17.27.080 Signs**
- 17.27.090 Landscaping**
- 17.27.100 Special Conditions**
- 17.27.110 Design Guidelines**

### **17.27.010 Purpose**

The CD district is intended to help strengthen the vitality and character of Farmersville's downtown commercial district by establishing an appropriate list of permitted uses, regulating the size and location of buildings, parking lots, landscaping and other improvements, in a manner that promotes a vibrant pedestrian-oriented shopping environment.

In general, new buildings shall front onto the public sidewalk, with on-site parking located to the rear or side of buildings. Large merchandise-display windows are required along the public sidewalk, as opposed to blank building walls.

**17.27.020 Permitted Uses**

Uses that are permitted (and conditionally permitted) in the CD zone are listed in Chapter 17.33 (Permitted Uses in Commercial Zones).

**17.27.030 Uses Expressly Prohibited**

The CD zone is designed to foster a special pedestrian-oriented shopping district in downtown Farmersville, with uses such as stores, restaurants, offices and gathering places. Towards this end, the zone does not allow automobile-oriented uses (that are allowed in other commercial zones) such as auto repair and tire shops and uses with drive-through/drive-up windows.

**17.27.040 Site Plan Review**

No development shall be constructed on any lot or site in this district until a site plan has been submitted and approved consistent with Chapter 17.53 (Site Plan Review), (or a Conditional Use Permit for uses listed as such).

**17.27.050 Development Standards**

The following standards shall apply to all parcels being developed in the CD zone:

a. Site Area, Lot Frontage and Depth

No requirement.

b. Building Height

The maximum height of commercial structures shall be 40 feet/three stories; the maximum height of accessory structures shall be 16 feet.

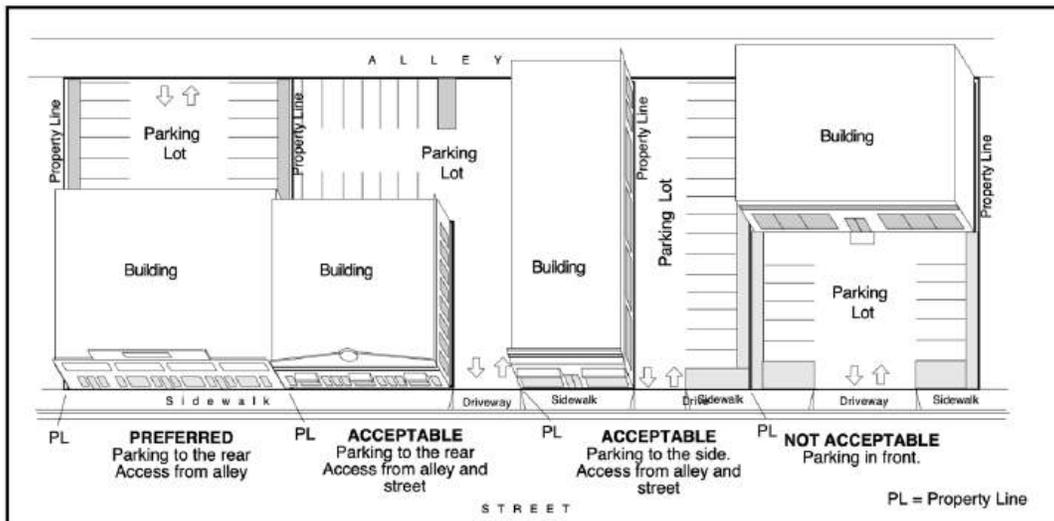
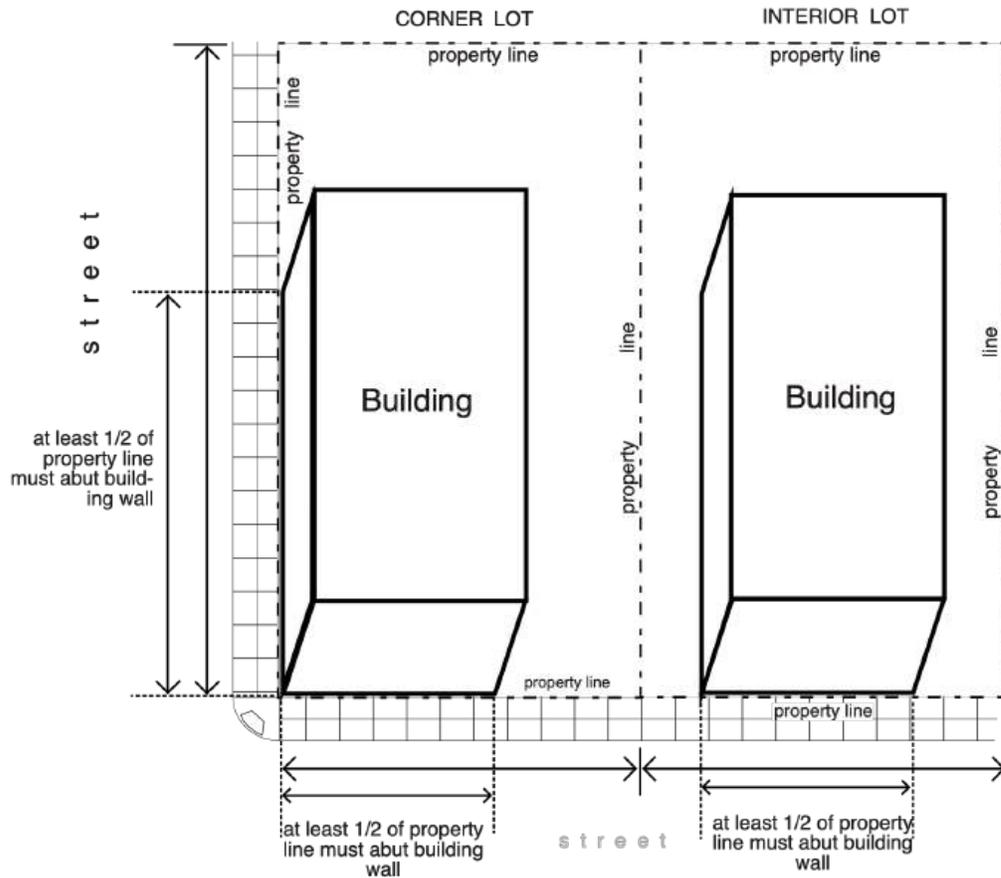
c. Yards (see also Exhibit 23-1)

a. Front (“Build-To Line”): New buildings shall be placed so that at least one half of the property line along a public street shall adjoin a building wall. Exceptions will be considered for restaurants, cafes, coffee houses and similar food-serving uses to provide for outdoor sidewalk dining.

b. Side: None required except that buildings on corner lots shall be placed so that at least half of the side lot line along a public street shall adjoin a building wall.

- c. Rear: No requirement unless the subject property abuts a residential district, in which case the minimum side yard shall be 10 feet.

**Exhibit 27-1: Building Placement Standards**



**17.27.060 Fences, Walls and Hedges**

- a. Front, Side and Rear Yards: Fences, walls, and hedges shall not exceed seven feet in height along any front, side or rear property line.
- c. Where a property zoned CD directly abuts a residential district, a 7-foot solid block masonry wall shall be constructed between the two uses. Where appropriate, openings should be provided to allow pedestrians to travel between the two uses.

**17.27.070 Off-Street Parking and Loading Facilities**

- a. The number of on-site parking spaces required for uses in the CD District may be reduced by up to 50% of the parking requirement for the particular use, as shown in Chapter 17.47 (Parking and Loading), however where the reduction results in more than 25 spaces, the use shall require a Conditional Use Permit, consistent with Chapter 17.55 (Conditional Use Permits).
- b. On-site parking shall be located to the rear or to the side of the building, except parking lots on corner lots shall be located to the rear or the interior side of the building.
- c. Parking lots constructed in CD district shall be designed and constructed so that within five years of construction, 50 percent of the parking lot is shaded by trees.
- d. Parking lots shall be separated from buildings by raised sidewalks or curbing.
- e. Parking lots shall be designed to accommodate solid waste pick-up.
- f. Parking lots shall be designed consistent with standards of the Farmersville Improvements Manual.

**17.27.080 Signs**

Signs shall be consistent with the requirements detailed in Chapter 17.49 (Signs and Advertising).

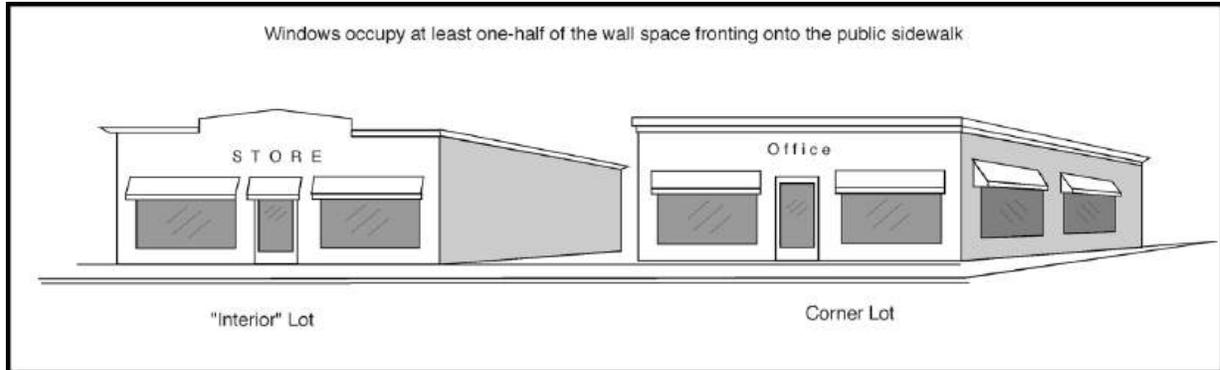
**17.27.090 Landscaping**

- a. A landscaping and irrigation plan shall be submitted on all developments to the City Planner for review and approval consistent with the standards in Chapter 17.45 (Landscaping). All setback areas along streets shall be landscaped.
- b. The landscaping and irrigation plan shall show a tree-planting scheme in the parking lot that will result in 50 percent of the parking lot being shaded within five years.
- c. The landscaping and irrigation plan shall provide for a minimal amount of turf and shall incorporate a variety of xerophytic plants, mulch to reduce water use, and an automated irrigation system that incorporates water conservation technology, including drip irrigation, smart irrigation controllers, and low-flow irrigation heads.
- d. Parking lots should be screened from adjacent public roadways by low walls and/or hedges.
- e. Vines and climbing plants should be used on buildings, trellises and perimeter walls in order to soften the appearance on the buildings, beautify the site and prevent graffiti.
- f. All trash enclosures shall be surrounded by a 6-foot solid block wall and the area around the enclosure shall be landscaped. The gate to the enclosure shall be constructed of metal.

**17.27.100 Special Conditions**

- a. All processes, businesses and services shall be conducted entirely within a completely enclosed structure, except for off-street parking and off-street loading areas, outdoor dining areas and nurseries.
- b. The facades of buildings fronting onto public streets shall be covered by at least 50% windows (see Exhibit 23-2). Windows shall extend to at least one foot of the front and at least seven feet above the ground.

**Exhibit 27-2: Window Standards**



- c. On-site parking shall be located to the rear or to the side of the building, except parking lots on corner lots shall be located to the rear or the interior side of the building.

**17.27.110 Design Guidelines**

New development in the CD zone shall be designed consistent with the following Design Guidelines.

**A. General Concepts**

New development in the downtown should reinforce the area's unique pedestrian-oriented shopping environment. Positive design elements that exist in the downtown area include:

1. Storefronts located immediately behind the sidewalk;
2. Stores with large windows that permit window shopping;
3. Awnings and arcades that provide shade for pedestrians;
4. A variety of stores in a small area – facilitating pedestrian shopping;
5. Off-street parking is located to the rear or to the side of buildings;
6. Architectural styles that reflect Farmersville's history and that of the San Joaquin Valley.

**B. Site Planning Concepts**

1. Consistent with standards of the CD zone, new buildings in the downtown must be located along the front property line, at the back of the sidewalk. On-site parking must be located to the rear or to the side of buildings.

2. New development on corner lots must be situated immediately at the corner (rather than the parking lot being located on the corner).
3. Useable open spaces such as courtyards and plazas with outdoor seating, landscaping, water features, etc. are encouraged. Pedestrian corridor access (paseos) should be provided to link rear parking lots to the street. Sidewalk dining is also encouraged (see Exhibit 27-3), as long as a sufficient distance from the curb is maintained (usually eight feet, minimum).
4. Side and rear setbacks should be determined on a case-by-case basis. In most cases it is preferred that downtown buildings be designed to cover the entire lot, with no side yard setbacks.

**Exhibit 27-3**



*Sidewalk dining helps to add life to the downtown streetscape.*

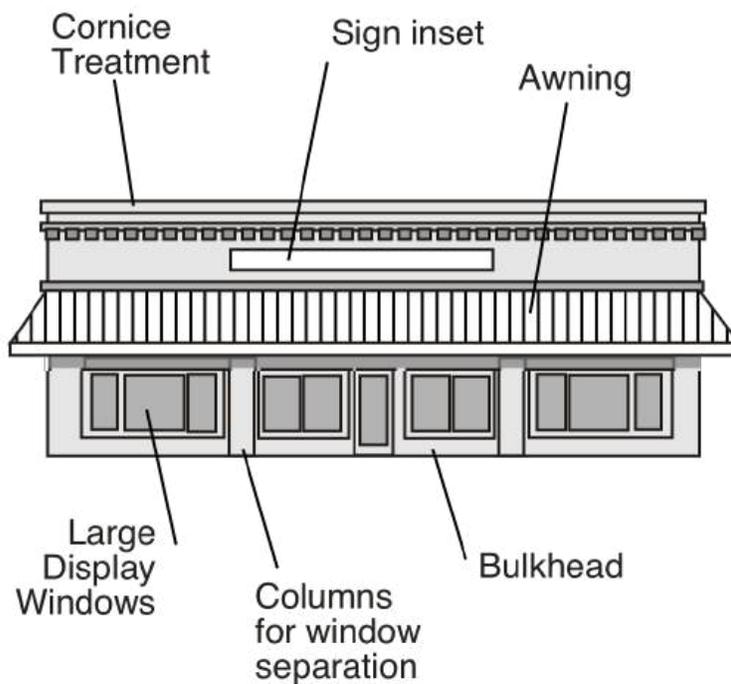
**C. Architectural Design**

1. The following urban design elements are considered most desirable for new downtown development or redevelopment (see Exhibit 27-4):
  - a. Significant wall articulation (e.g. insets, alternating with columns, etc);

- b. A variety of surface textures, provided that they are appropriate to the particular architectural style of the building;
- c. Large display windows at street level for the display of merchandise and to allow shoppers to see inside the store. Windows must extend across the majority of the wall and a significant vertical distance;
- d. Overhangs and arcades or awnings;
- e. Regular window placement;
- f. Pedestrian-scale signs that compliment the style and character of the individual building.

**Exhibit 27-4**

Desirable Façade Elements for Downtown Buildings



*This graphic displays some of the most desirable elements of good downtown building design*

**Exhibit 27-5: Display Windows**



*Large display windows help to make the downtown a more inviting place. Windows should extend a significant width and height of the wall.*

2. The following design elements are considered *undesirable* and should be avoided for new downtown development or redevelopment:
  - a. Large, long, blank unarticulated walls;
  - b. Highly reflective surfaces of buildings;
  - c. Reflective window tinting;
  - d. A mix of unrelated styles (e.g., rustic wood shingles with polished chrome) on the same building;
  - e. Highly visible outdoor storage, equipment and loading areas;
  - f. Large, flashy signs that are out of scale and character with the building.
  - g. Contemporary “ultra-modern” styles and materials.

**D. Building Mass and Scale**

1. The height and scale of new development should be compatible with the scale of surrounding development. Scale is the relationship between the size of the structure and the size of adjoining structures. Scale is also the manner in which the proposed building's size relates to the size of a human being. Large scale building elements can appear overwhelming if situated in a visual environment that is predominantly smaller in scale.

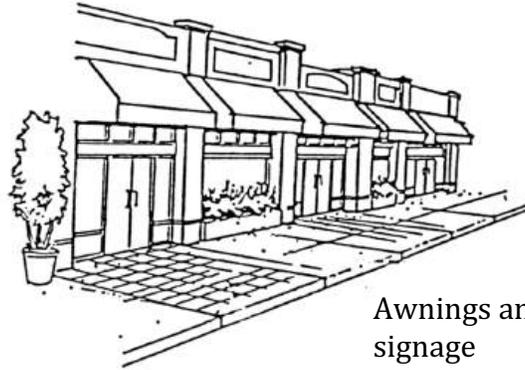
**Exhibit 27-6: Building Height and Scale**



*The height and scale of new developments should be compatible with the scale of surrounding development*

2. The scale of a large building should be “broken up or reduced by creating horizontal emphasis of the building. This can be accomplished through the proper use of window patterns, roof overhangs, the use of trim moldings, awnings, eaves, or other ornamentation, by using a combination of complimentary colors, and through the use of landscaping.
3. Blank solid walls of buildings visible from public view, including bland areas above cantilevered canopies should be avoided. If such walls are necessary for interior or structural reasons, the structure wall shall be treated with some form of articulation such as larger awnings, cornice bands, dentils or similar materials.
4. The facades of attractive adjacent structures should be considered in the design of new buildings to avoid clashes in architectural style and materials.

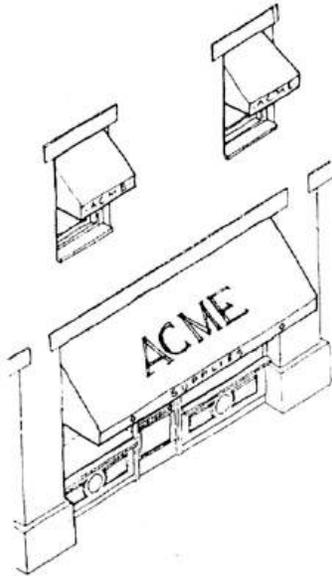
**Exhibit 27-7: Building Compatibility**



Awnings and Pedestrian-scale signage

5. Buildings with flat or oversimplified facades (e.g. straight roof-lines without definition) should utilize parapet walls and/or cornice detailing to give greater stature to the building as well as the entire block on which the structure is located.
6. Canopies and awnings are desirable elements in the downtown and are encouraged to shelter the openings of each building from sun and rain. New canopies and awnings should be respectful of the style and character of the structure on which they are attached, particularly in terms of materials and colors.

**Exhibit 27-8: Window Awnings**



*Window awnings are a desirable element, when properly-scaled.*

The highest point of a canopy or its support structure shall not be higher than the mid-point of the space between the second story windowsills and the top of the first floor store front window, awning, canopy or transom. Awnings should also be set inside vertical elements on the building such as columns, pilasters or storefronts that are indented.

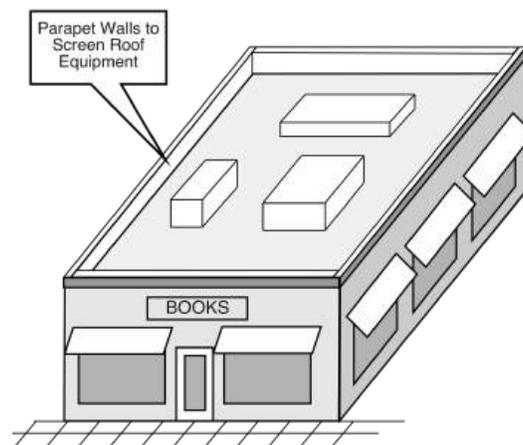
7. Awnings, trellises and other accessory structures that do not restrict pedestrian or vehicular movement may project into the public right-of-way, subject to clearance requirements specified in the Zoning Ordinance. In general, awnings should be no less than 8 feet above the sidewalk.

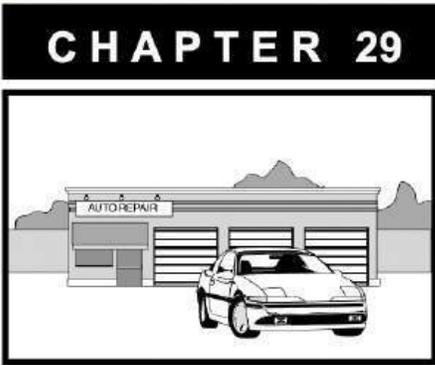
**Exhibit 27-9: Awnings over the public sidewalk**



8. Existing historically significant buildings should be maintained. Any physical changes shall be done in a manner that is consistent with the original architectural style.
9. Entrances of buildings and parking areas shall be well illuminated, for safety, identification and convenience.
10. Rooftop mechanical equipment (e.g. air conditioning units) should be screened from view from the public right of way through the use of parapets, cornices or other treatments. Mechanical equipment should not be mounted on street arcades, in front windows or other visible locations.

**Exhibit 27-10: Screening Roof Equipment**





## **CS Zone (Service Commercial)**

### **Sections**

- 17.29.010 Purpose**
- 17.29.020 Permitted Uses**
- 17.29.030 Site Plan Review**
- 17.29.040 Design Guidelines**
- 17.29.050 Development Standards**
- 17.29.060 Fences, Walls and Hedges**
- 17.29.070 Off-Street Parking and Loading Facilities**
- 17.29.080 Signs**
- 17.29.090 Landscaping**
- 17.29.100 Special Conditions**

### **17.29.010 Purpose**

The purpose of the Service Commercial district is to provide for the development of commercial uses that provide various services to the general public, including a wide variety of auto-repair uses, cabinet shops and similar uses that lie in between retail commercial and industrial activities. The design of such commercial uses shall be of a scale and design that is compatible with the surrounding neighborhoods.

### **17.29.020 Permitted and Conditionally-Permitted Uses**

Permitted uses and conditionally-permitted uses in the CS zone are listed in Chapter 17.35 (Permitted Uses in Commercial Zones).

### **17.29.030 Site Plan Review**

No development that is listed as permitted (or conditionally-permitted) shall be constructed on any lot or site in this district until a site plan has been submitted and

approved consistent with Chapter 17.51 (Site Plan and Design Review). For uses subject to a Conditional Use Permit, the site plan review process will be combined with and incorporated into the Conditional Use Permit process, as noted in Chapter 17.53 (Conditional Use Permits)

**17.29.040 Design Guidelines**

New development in the CS zone shall be designed consistent with the guidelines shown in Chapter 17.35 (Commercial Design Guidelines).

**17.29.050 Development Standards (see also Exhibit 29-1 for a summary of development standards)**

a. Site Area, Lot Frontage and Depth

No requirement.

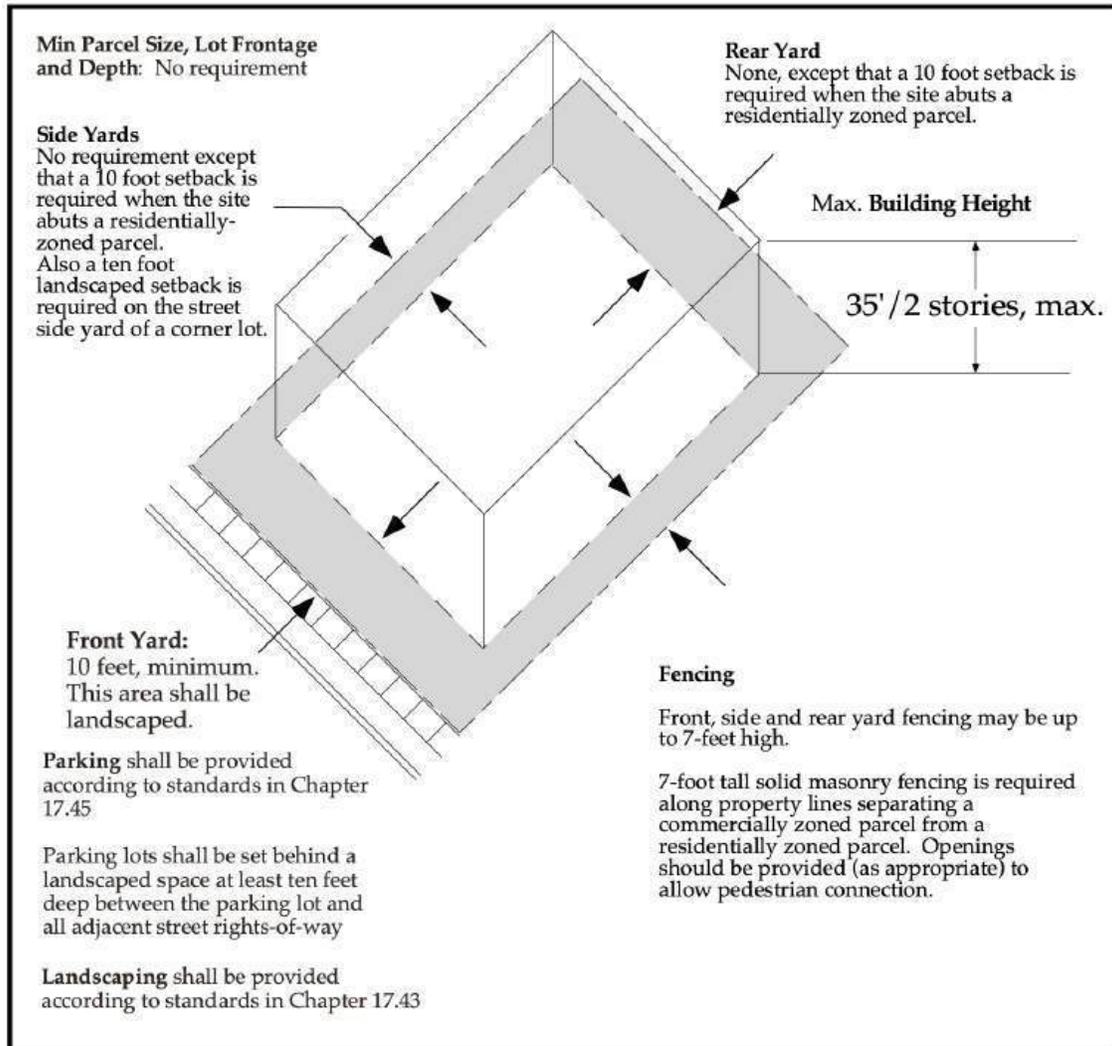
b. Building Height

The maximum height of commercial structures shall be 35 feet/two stories;

c. Yards

1. Front: 10 feet, minimum. Further, parking lots shall be separated by a landscaped setback of at least ten feet from the front property line, and on corner lots, from the street-side property line.
2. Side: No requirement except where:
  - i. the subject property abuts a residential district, wherein the minimum side yard shall be 10 feet, or
  - ii. where the site is a corner lot, in which a 10 foot setback is required on the street side yard.
3. Rear: No requirement unless the subject property abuts a residential district, wherein the minimum side yard shall be 10 feet.

**Exhibit 29-1: Zoning Standards**



**17.29.060 Fences, Walls and Hedges**

- a. Front, Side and Rear Yards: Fences, walls, and hedges shall not exceed seven feet in height along any front, side or rear property line.
- b. Where a property zoned CS abuts a residential district, a 7-foot solid block masonry wall shall be constructed along the property line between the two uses. Where appropriate, openings should be provided to allow pedestrians to travel between the two uses.

**17.29.070 Off-Street Parking and Loading Facilities**

- a. Uses in the CS District shall provide the number of off-street parking spaces consistent with Chapter 17.45 (Parking and Loading).
- b. Parking lots constructed in CS district shall be designed and constructed so that within five years of construction, 50 percent of the parking lot is shaded by trees.
- c. Parking lots shall be separated from buildings by raised sidewalks or curbing.
- d. Parking lots shall be designed to accommodate solid waste pick-up.
- e. Parking lots shall be designed consistent with standards contained in the Farmersville Improvements Manual

**17.29.080 Signs**

Signs shall be consistent with the requirements detailed in Chapter 17.47 (Signs).

**17.29.090 Landscaping**

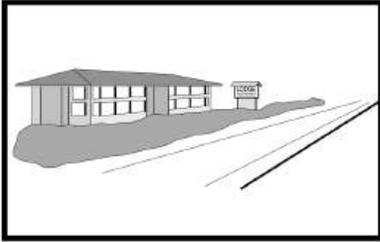
- a. A landscaping and irrigation plan shall be submitted to the City Planner for review and approval consistent with the standards in Chapter 17.43 (Landscaping). All setback areas along streets shall be landscaped with an appropriate combination of groundcover, shrubs and trees.
- b. The landscaping and irrigation plan shall show a tree-planting scheme in the parking lot that will result in 50 percent of the parking lot being shaded within five years.
- c. The landscaping and irrigation plan shall provide for a minimal amount of turf and shall incorporate a variety of xerophytic plants, mulch to reduce water use, and an automated irrigation system that incorporates water conservation technology, including drip irrigation, smart irrigation controllers, and low-flow irrigation heads.
- d. Parking lots should be screened from adjacent public roadways by low walls and/or hedges.
- e. Vines and climbing plants should be used on buildings, trellises and perimeter walls in order to soften the appearance on the buildings, beautify the site, and prevent graffiti.

- f. All trash enclosures shall be surrounded by a 6-foot solid block wall and the area around the enclosure shall be landscaped. The gate to the enclosure shall be constructed of metal.

**17.29.100 Special Conditions**

- a. All processes, businesses and services shall be conducted entirely within a completely enclosed structure, except for off-street parking and off-street loading areas, gasoline sales, outdoor dining areas and nurseries.

## CHAPTER 31



## CH Zone (Highway Commercial)

### Sections

- 17.31.010 Purpose
- 17.31.020 Permitted Uses
- 17.31.030 Site Plan Review
- 17.31.040 Design Guidelines
- 17.31.050 Development Standards
- 17.31.060 Fences, Walls and Hedges
- 17.31.070 Off-Street Parking and Loading Facilities
- 17.31.080 Signs
- 17.31.090 Landscaping
- 17.31.100 Special Conditions

### 17.31.010 Purpose

The purpose of the Highway Commercial district is to establish appropriate areas along Highway 198 for the development of commercial uses that cater to the traveling public, such as restaurants, service stations, lodging, retail commercial and complementary uses.

Recognizing the high-profile location of Highway Commercial properties and the city's frontage along the highway as its "front door to the world", property development should exhibit the highest level of design quality, including architectural character, landscaping and screening.

### 17.31.020 Permitted and Conditionally-Permitted Uses

Permitted uses and conditionally-permitted uses in the CS zone are listed in Chapter 17.35 (Permitted Uses in Commercial Zones).

**17.31.030 Site Plan Review**

No development that is listed as permitted (or conditionally-permitted) shall be constructed on any lot or site in this district until a site plan has been submitted and approved consistent with Chapter 17.51 (Site Plan and Design Review). For uses subject to a Conditional Use Permit, the site plan review process will be combined with and incorporated into the Conditional Use Permit process, as noted in Chapter 17.53 (Conditional Use Permits).

**17.31.040 Design Guidelines**

New development in the CH zone shall be designed consistent with the guidelines shown in Chapter 17.33 (Commercial Design Guidelines).

**17.31.050 Development Standards (see also Exhibit 31-1 for a summary of development standards)**

a. Site Area, Lot Frontage and Depth

No requirement.

b. Building Height

The maximum height of commercial structures shall be 40 feet.

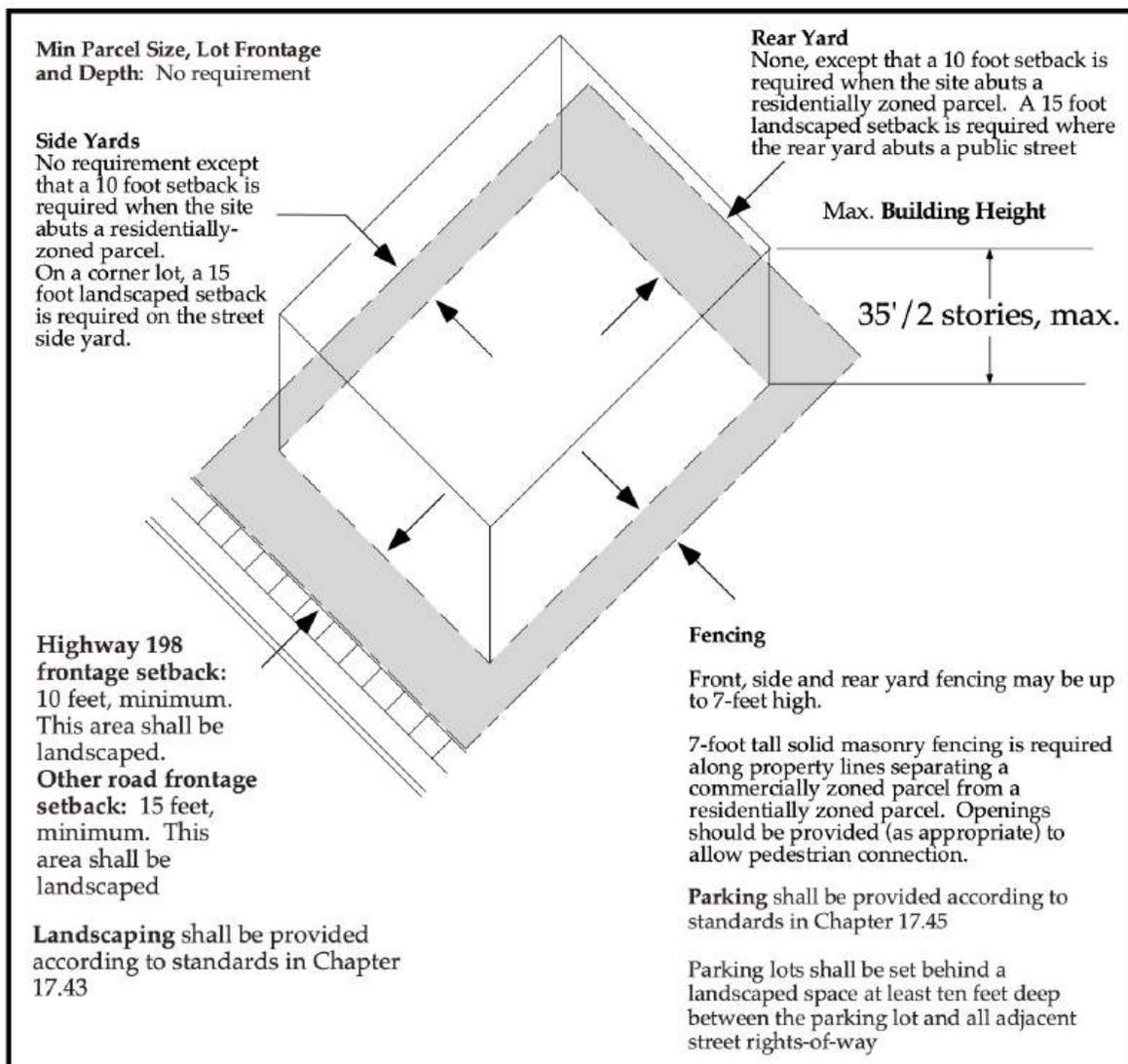
c. Yards

A. The following building and parking lot setback requirements apply for parcels in the Highway Commercial zone:

- i. Any parcel that directly abuts the right-of-way of State Highway 198, shall provide a 20-foot wide landscaped setback that extends the entire length of the parcel along the highway right-of-way. This setback shall apply to both buildings and parking facilities.
- ii. Any parcel that fronts onto a street right-of-way (other than State Highway 198) shall provide a 15-foot landscaped setback along the street right-of-way. This setback shall apply to both buildings and parking facilities.

- iii. Other Yards: Notwithstanding the foregoing yard requirements, a yard of at least ten feet shall be provided where any site abuts a public street on a side property line (e.g. "street side yard"). This setback shall apply to both buildings and parking facilities. This yard area shall be landscaped.
- iii. Where a highway commercial zone abuts a residential zone (or a planned residential zone that is designated on the land use map of the Farmersville General Plan), the site shall provide a ten foot setback for buildings.

**Exhibit 31-1: Zoning Standards**



**17.31.060 Fences, Walls and Hedges**

- a. Front, Side and Rear Yards: Fences, walls, and hedges shall not exceed seven feet in height along any front, side or rear property line. Where a site abuts a street, fencing shall be set back at least ten feet behind the property line and the area between the fence and property line shall be provided with an automatic irrigation system and landscaping, consistent with the requirements of 17.43 (Landscaping and Irrigation).
- b. Where a property zoned CH abuts a residential district, a 7-foot solid block masonry wall shall be constructed along the property line between the two uses.

**17.31.070 Off-Street Parking and Loading Facilities**

- a. Uses in the CH District shall provide the number of off-street parking spaces consistent with Chapter 17.45 (Parking and Loading).
- b. Parking lots constructed in CH district shall be designed and constructed so that within five years of construction, 30 percent of the parking lot is shaded by trees.
- c. Parking lots shall be separated from buildings by raised sidewalks or curbing.
- d. Parking lots shall be designed to accommodate solid waste pick-up.
- e. For uses such as hotels, restaurants and similar, consideration shall be given to designing parking facilities to provide room for tour buses
- f. Parking lots shall be designed consistent with standards contained in the Farmersville Improvements Manual

**17.31.080 Signs**

Signs shall be consistent with the requirements detailed in Chapter 17.47 (Signs).

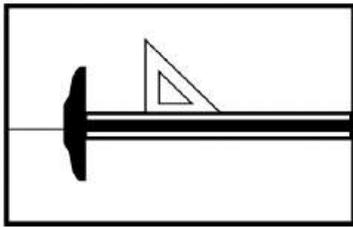
**17.31.090 Landscaping**

- a. A landscaping and irrigation plan shall be submitted to the City Planner for review and approval consistent with the standards in Chapter 17.43 (Landscaping). All setback areas along streets shall be landscaped with an appropriate combination of groundcover, shrubs and trees.
- b. The landscaping and irrigation plan shall show a tree-planting scheme in the parking lot that will result in 30 percent of the parking lot being shaded within five years.
- c. The landscaping and irrigation plan shall provide for a minimal amount of turf and shall incorporate a variety of xerophytic plants, mulch to reduce water use, and an automated irrigation system that incorporates water conservation technology, including drip irrigation, smart irrigation controllers, and low-flow irrigation heads.
- d. Parking lots should be screened from adjacent public roadways by low walls and/or hedges.
- e. Vines and climbing plants should be used on buildings, trellises and perimeter walls in order to soften the appearance on the buildings, beautify the site, and prevent graffiti.
- f. All trash enclosures shall be surrounded by a 6-foot solid block wall and the area around the enclosure shall be landscaped. The gate to the enclosure shall be constructed of metal.

**17.31.100 Special Conditions**

- a. All processes, businesses and services shall be conducted entirely within a completely enclosed structure, except for off-street parking and off-street loading areas, gasoline sales, outdoor dining areas and nurseries.

## Chapter 33



# Commercial Development Design Guidelines

## Sections

- 17.33.010 Purpose
- 17.33.020 Design Guidelines

### 17.33.010 Purpose

The purpose of this Chapter is to set forth design guidelines for commercial development in Farmersville that will work to achieve high standards of project design. These regulations complement the standard site development regulations listed in the individual zone district chapters. These design regulations are general in nature and may be interpreted with some flexibility in their application to specific projects. Issues addressed in this chapter include site planning, parking and circulation, landscaping, walls, building design, signs and lighting.

### 17.33.020 Design Guidelines

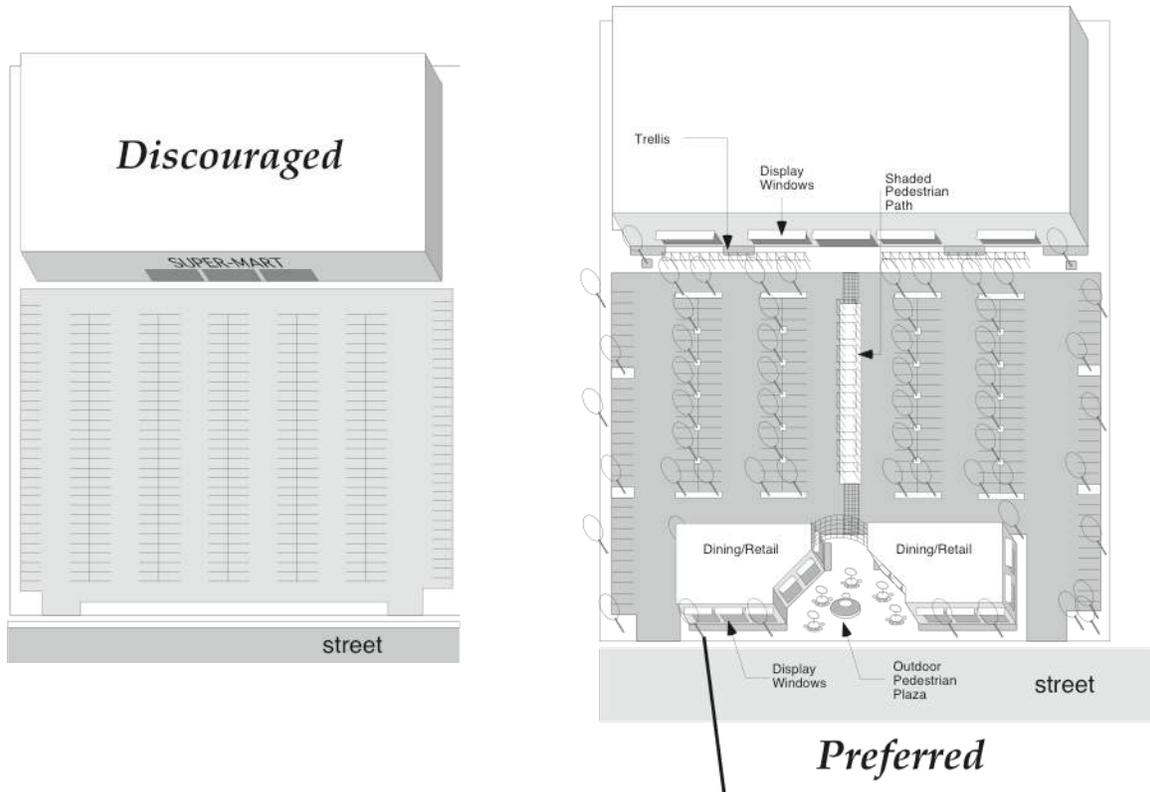
The following guidelines apply to all development occurring within the C (commercial) districts and are intended to facilitate high quality development that complements the character of Farmersville.

#### a. Large Project Site Design

1. Large sites (such as shopping centers) should be designed to be pedestrian friendly, reduce the visual dominance of parking lots, and highlight the appearance of the building facade. The following general principles should be followed:
  - (a) Avoid large expanses of parking lot. Parking areas should be screened with smaller buildings set forward toward the street (see diagram to the right)
  - (b) Pedestrian plazas and walkways should be provided in the site design

Farmersville Zoning Ordinance  
Chapter 33: Commercial Development Design Guidelines

- (c) Arbors and shade trees should be established (see “Parking Lot Strategies”, on the next page).
- (d) Effort should be made to establish pedestrian connections with adjacent commercial areas and surrounding residential neighborhoods.
- (e) Where feasible, mixed use elements should be provided, including residential units.

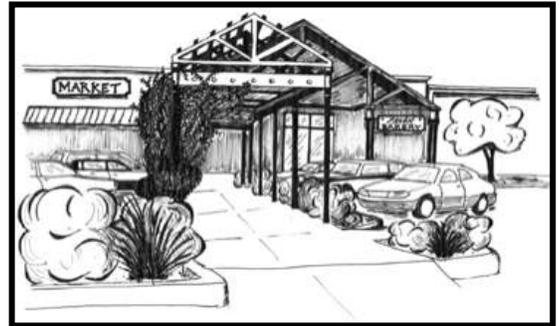


*Additional buildings are placed at the street edge to visually screen an otherwise expansive parking lot. An outdoor plaza leads to a pedestrian arbor through the parking lot to the main building.*

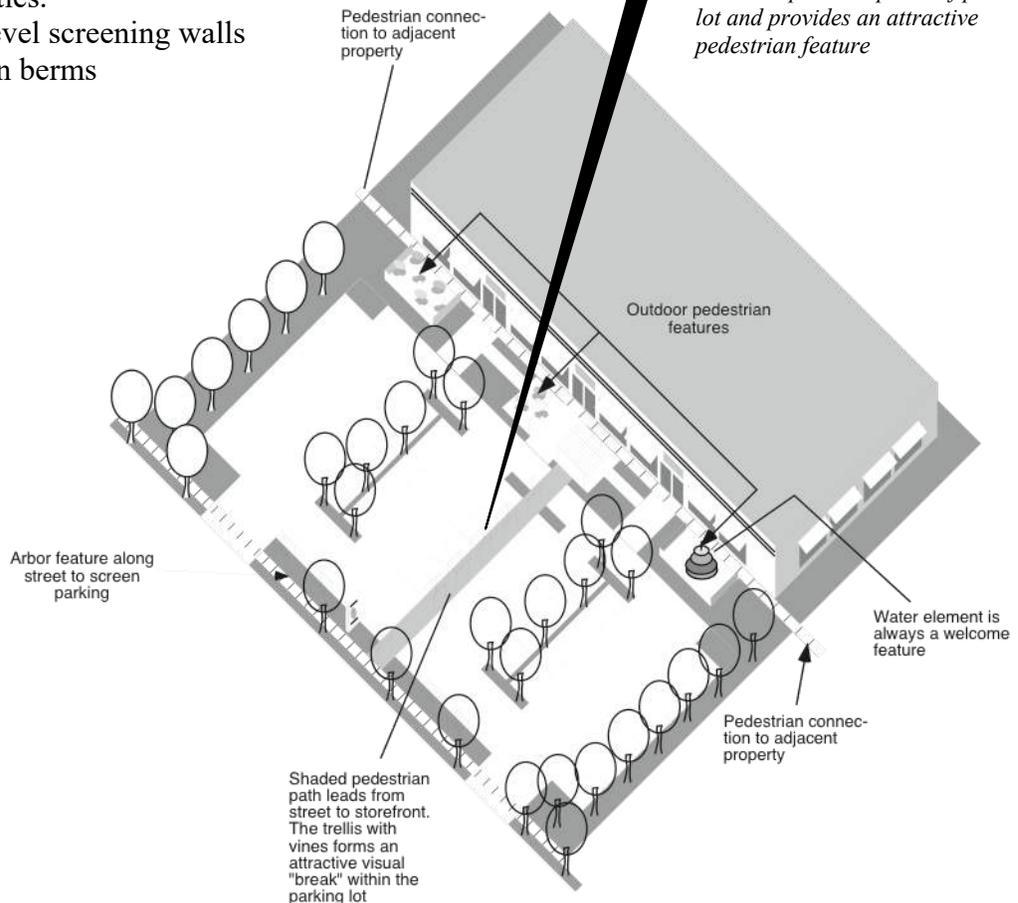
**b. Parking Lot Strategies**

Where screening of the parking lot as previously illustrated is not possible, as many pedestrian amenities should be included in the parking lot and building exterior as possible. The graphic below illustrates various elements that should be considered, including:

1. Shade trees and landscaping.
2. Parking lot pathways, shaded with arbors (see illustration to the right).
3. Store front pedestrian areas with seating
4. Fountains and statuary
5. Effective pedestrian connections with adjoining properties.
6. Low level screening walls
7. Earthen berms



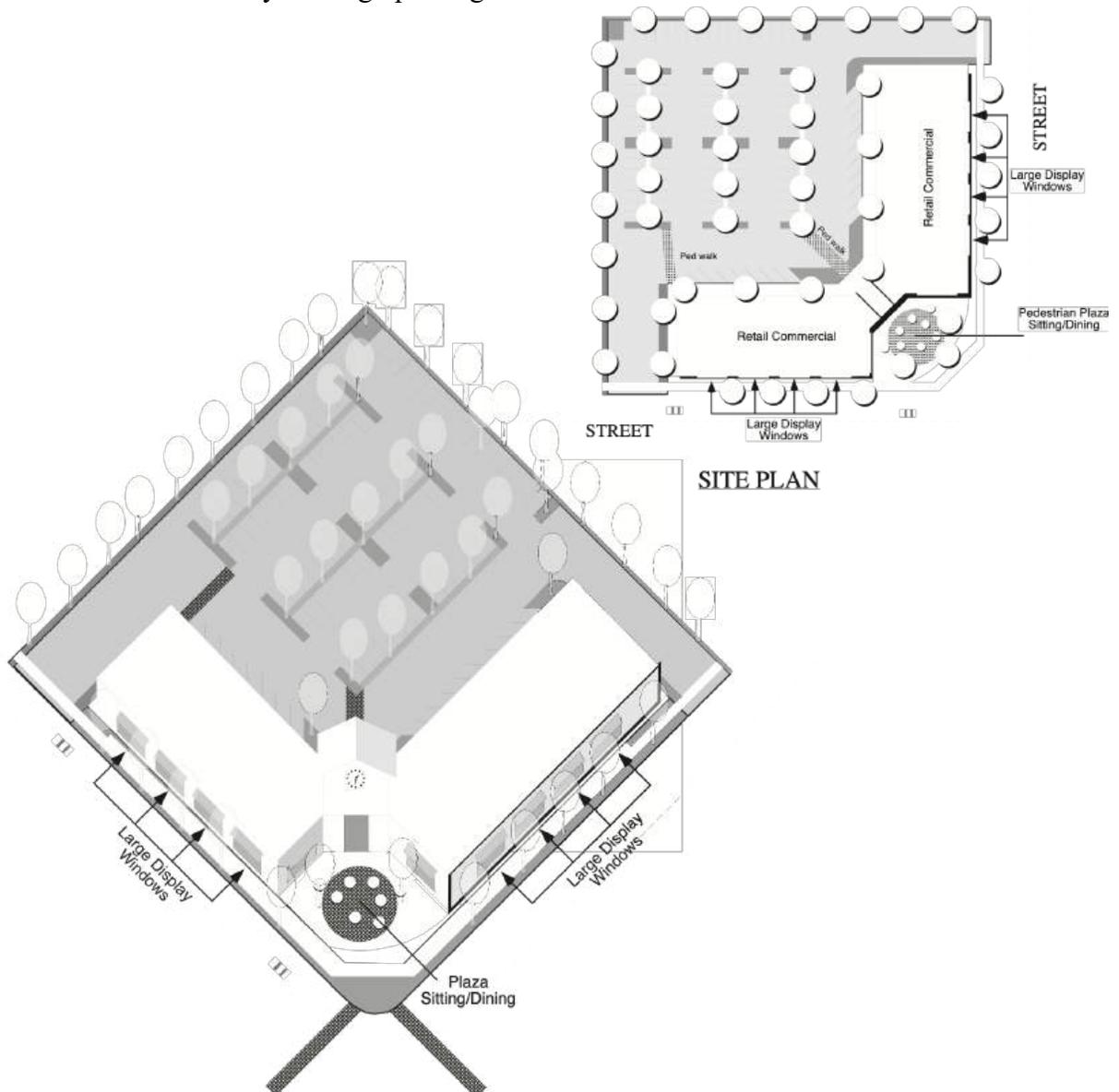
*Parking Lot Trellis over pedestrian walkway. This feature visually "breaks up" the expanse of parking lot and provides an attractive pedestrian feature*



c. **Corner Lot Design**

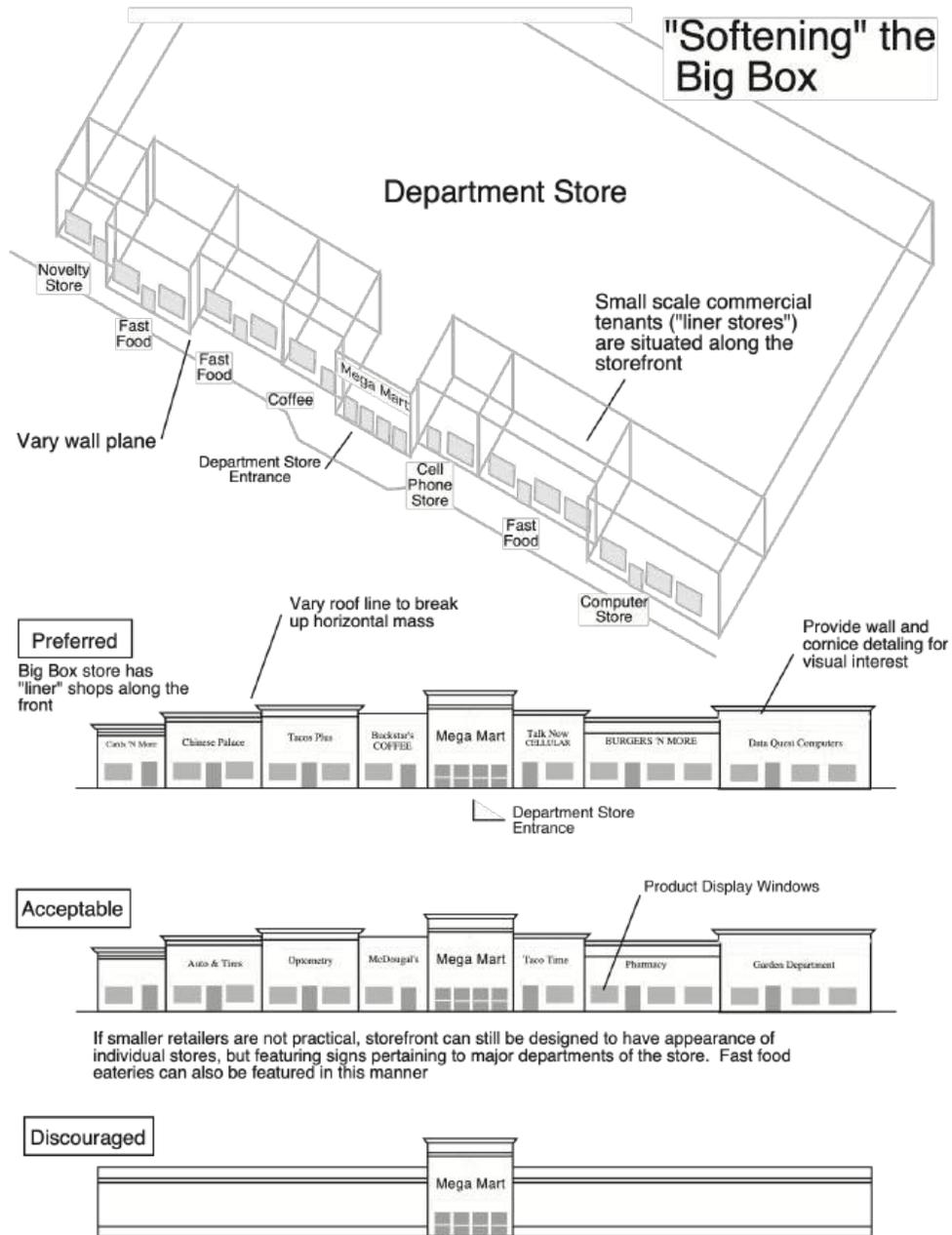
Corner lots present special opportunities for good project design. The diagrams below and to the right illustrate a preferred design strategy for a commercial corner-lot location. Desirable design strategies include:

1. Situate buildings against the street corner with parking to the rear.
2. To the extent practical, buildings should feature large display windows and entrances along the street sidewalk.
3. Provide a pedestrian plaza at the corner.
4. Establish pedestrian connections from the parking lot to the street.
5. Pedestrian walkways through parking lots should be maximized.



**d. "Big Box" Façade Design Strategies**

Large stand-alone commercial stores should be designed to avoid the appearance of a large box-like structure. Architectural detailing on exterior walls, such as insets, varied wall planes, alternating colors and the use of "liner shops" is recommended. Other site and parking design guidelines from this chapter should also be utilized.



e. **Mixed Use**

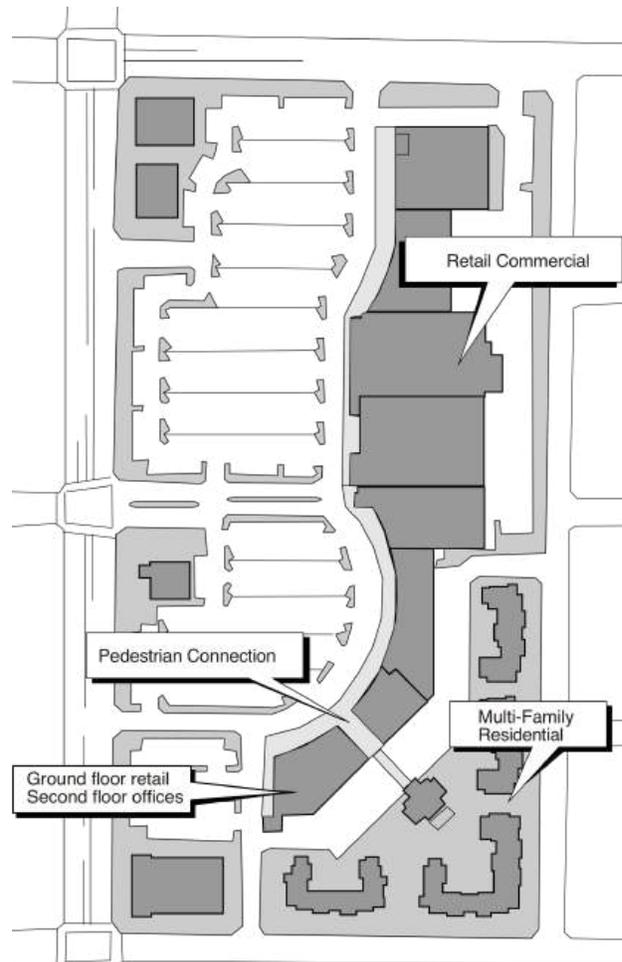
Farmersville encourages developers to consider projects that combine commercial and residential uses on one site. Mixed-use projects can either be horizontal (with commercial and residential on separate portions of a site, as illustrated to the right), or vertical (typically with commercial/office on the ground floor and residential on upper floors, illustrated below).

*Vertical Mixed Use*



*Vertical mixed use project has retail commercial and offices on the ground floor, with dwelling units above.*

*Horizontal Mixed Use*

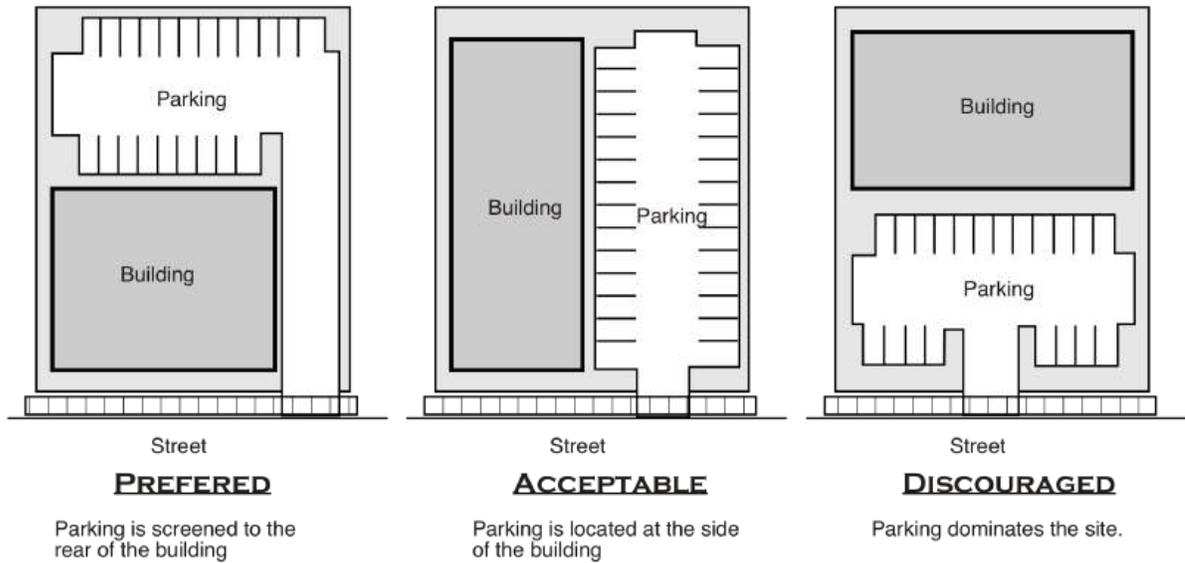


*Example of a horizontal mixed use project – a shopping center with a multi-family project tucked into one corner. A pedestrian paseo allows residents to walk directly into the shopping center.*

**f. Small Commercial Sites**

Small commercial sites (generally smaller than one acre) present special design opportunities. A streetscape should not be dominated by parking lots. Toward this end, sites should be designed with parking to the rear or to the side of the building. If parking must be placed between the building and the street, additional amenities (as listed above under “Parking Lot Strategies”) should be included.

*Small Sites Design Strategies*



*With small development sites, care should be taken that parking does not dominate the site. Sites should be designed with parking to the rear or the side of buildings.*

**g. Architectural Strategies**

Commercial buildings should be pedestrian in scale, utilizing the following design techniques and mechanisms:

1. Architectural styles that reflect the traditions and history of Farmersville and the San Joaquin Valley are preferred over “modern” “contemporary” and franchise design styles that are repeated in every other community. Preferred commercial styles include Spanish, neoclassical, Mediterranean and Western false front. The City maintains a photo library of good examples of these styles.
2. Buildings should be articulated in a fashion similar to the pedestrian-oriented buildings found in downtowns. Use of insets, overhangs or arcades (roofed passageways), cupolas or clock towers, arbors and other design elements are encouraged. Building facades should avoid blank walls greater than 30 feet in length at street level.
3. Use three-dimensional cornice treatments, parapet wall details, overhanging eaves, etc. to enhance the architectural character of the roof, and conceal roof equipment. For large buildings, roof lines should be varied to reduce mass and building scale.
4. Buildings should feature large show-windows along sidewalks and along street frontages.
5. Roof-mounted equipment should be screened from view with parapet walls or similar screening devices.

*Preferred*  
*Variety in façade and roofline*



*Encouraged*



*Discouraged*



*No blank walls! This building has generous windows (shaded with awnings) along the street. It could have just as easily been a blank wall.*

6. As noted above, walls should be avoided along parking lots, public streets and other areas visible to the public. The use of show-windows is preferred, but where this is not practical, other methods should be used such as trellises for climbing vines or architectural detail like columns and tile insets, for example.

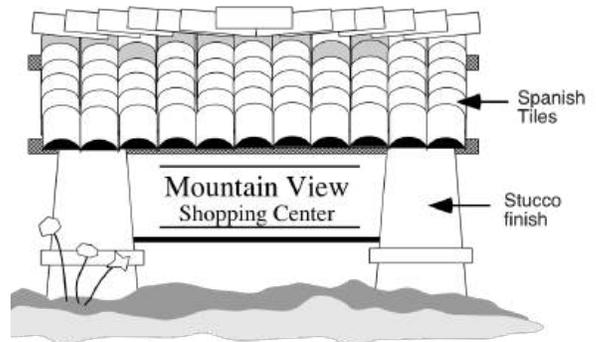


*Walls that would otherwise be “blank” should receive some type of architectural treatment, such as trellises, as illustrated above.*

#### **h. Signs**

Sign regulations found in the sign ordinance must be observed, however the following general design guidelines should be utilized.

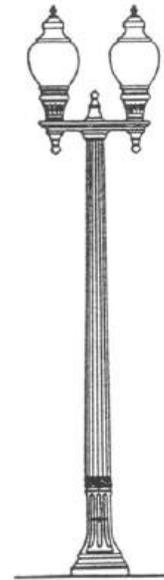
1. Signs should be compatible with the design of the building and its architectural style.
2. Stark color contrasts in signs should be avoided. Sign colors should be muted – use of significant quantities of primary colors should be avoided.
3. Free-standing signs shall be monument-style signs as opposed to pole signs.
4. The design of freestanding signs should feature architectural elements that relate the sign to the buildings they advertise (see example to the right).
5. For multi-tenant buildings or shopping centers, a coordinated sign design scheme is required.



*Free standing monument-style signs should receive architectural treatment that relates to the overall site.*

**i. Landscaping**

1. Landscaping should incorporate an appropriate combination of shrubs, turf, trees and flowers. Where increased maintenance allows, additional elements such as trellises, arbors, benches and fountains should be included. Landscaping should be designed to accentuate positive design elements and screen negative views as well as ensure safety and visibility.
2. For beauty as well as graffiti prevention, climbing vines should be used to screen masonry walls, including perimeter walls trash enclosures and other appropriate locations.
3. Pedestrian-scaled ornamental lighting should be provided along with walkways for commercial projects. Lighting fixtures should be of a design that complements the style of architecture of the project. Standard cobra-head light fixtures should be avoided.
4. Service areas for refuse collection and deliveries should be located away from customer entries and should be screened from view.
5. Landscaping and irrigation shall be properly maintained.



*Decorative pedestrian-oriented light fixtures are encouraged.*



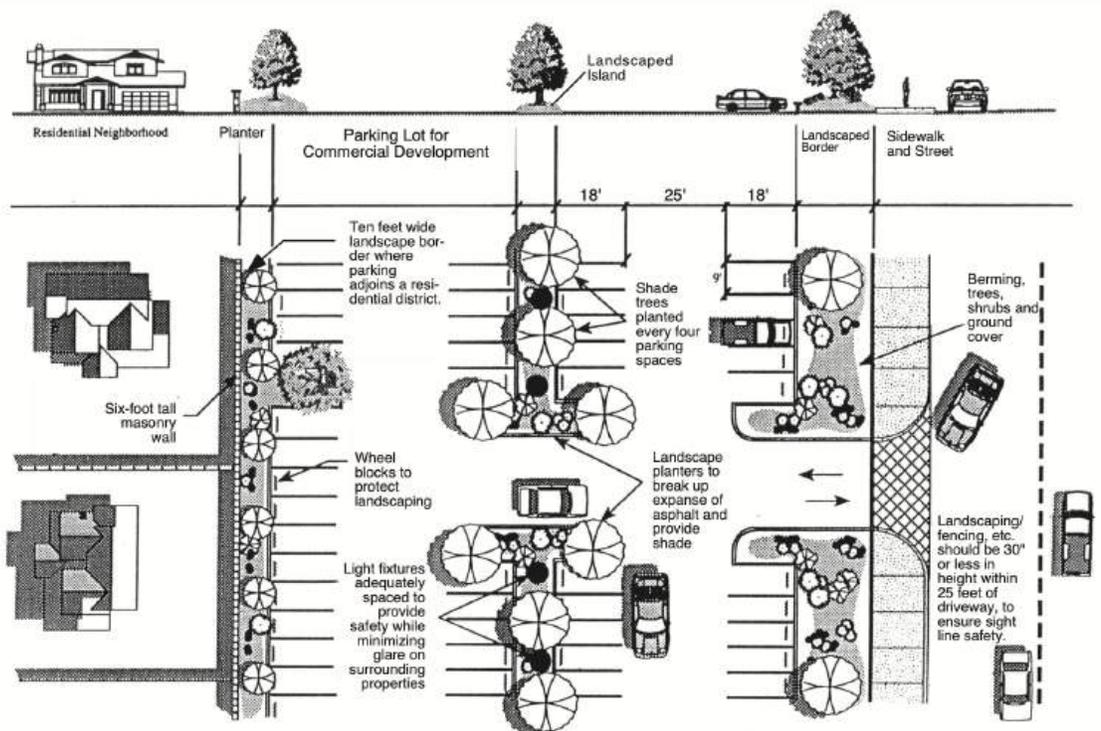
*Walls should be planted with climbing vines and buffered with shade trees and shrubs.*

**j. Parking Lot Landscaping**

Parking lots shall feature landscaping to promote an attractive visual environment and reduce summer heat buildup. The following techniques are recommended:

1. Landscaping or mounding shall be provided in the area between a parking lot and the street right of way. Alternately, a low screening hedge or wall with climbing vegetation shall be provided.
2. For each four spaces, one shade tree shall be provided within a planter not less than four feet by four feet wide, surrounded by protective curbing. In general, shade trees shall be provided to obtain shading of 50% of the parking lot within fifteen years.

*Parking Lot Landscaping Strategies*



3. Landscaping should be situated so that it does not interfere with vehicle sight-lines, nor with the front end of parked vehicles.
4. Landscape planters should be provided along masonry walls and along building walls. Climbing vines should be established to screen masonry walls and prevent graffiti.

**k. Special Uses**

**1. Auto Repair/Tire Shops, etc.**

- (a) Auto repair businesses should utilize architecture that blends well with the surrounding neighborhood.
- (b) Where space permits it is preferred that the building be oriented so that service bay doors do not open directly onto the street.



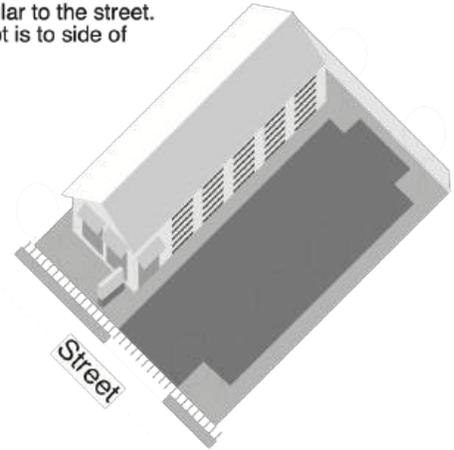
*The example above orients service bay doors perpendicular to the street, while the example below opens the bays onto the street.*



**Site Planning for Auto Repair**

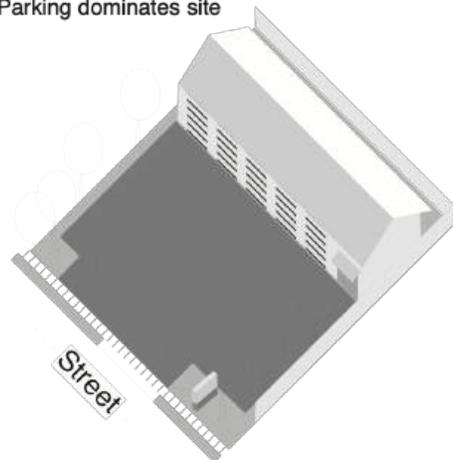
**Preferred**

Bay doors are oriented perpendicular to the street. Parking lot is to side of building.



**Discouraged**

Bay doors are oriented parallel to the street. Parking dominates site frontage



**2. Service stations**

- (a) Service stations should utilize architectural styles that blend well with adjacent neighborhoods and other commercial development.
- (b) Where a service station is part of a shopping center, the architectural style should be consistent with that of the shopping center.
- (c) Pump shelters should be consistent with the architecture of the service station building/convenience store. A gabled pump canopy is preferred over a “flat top” canopy. Flat top canopies should utilize other elements such as molding or trim.

**Service Station Fuel Island Canopies**

*Preferred (gabled roof)*



*Gabled pump canopy relates to the design of the service station's main building.*

*Discouraged*



*“Flat top” pump is discouraged.*

**3. Fast Food/Franchise Businesses**

- (a) Fast food and other franchise businesses should utilize architectural styles that are appropriate to Farmersville and the surrounding neighborhood, rather than standard franchise styles that are replicated in every community.

**Franchise Architecture**

*Encouraged*



*Discouraged*



*For franchise businesses, such as fast food restaurants, standard corporate architectural styles should be avoided in favor of design that respects the local area and surrounding neighborhood*

**4. Drive Thru**

- (a) Drive thru lanes should be screened from view of the public right of way with the use of landscaping, berming, etc.
- (b) Additional methods, such as the use of an arbor (see below) should be considered to soften and improve the appearance of drive thru lanes.

*Drive Thru Trellis*

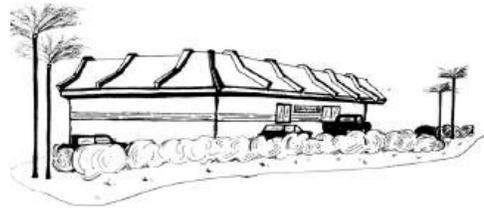


**Drive Thru Screening**

*Discouraged*



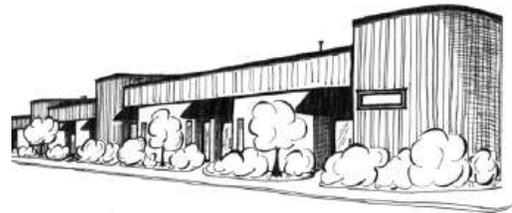
*Preferred*



*Drive-Thrus should be screened from view of the public right of way*

**5. Metal Buildings**

- (a) Metal buildings are discouraged in downtown and neighborhood commercial areas.
- (b) Where metal buildings are used, they should receive heightened architectural treatment – standard box forms are strongly discouraged. The use of insets, awnings, trellises and varying (but muted) color schemes should be considered.



*Where used, metal buildings should include heightened architectural detailing such as varied wall and roof planes, colors and awnings.*

**M. Design Details**

**1. Trash Enclosures**

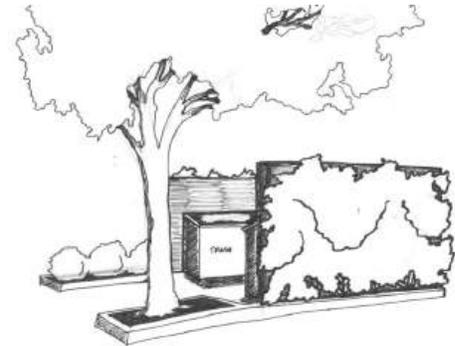
- (a) Trash enclosures should be considered as an architectural element of the overall project.
- (b) Walls should receive architectural detailing; climbing vines and shrubbery can be used to screen.
- (c) Additional details such as a trellis can be used to improve the attractiveness of a trash enclosure.
- (d) Trash enclosures should be designed with a separate pedestrian entrance – to preclude front doors from being left open.



*Trash enclosures should be designed to complement the overall project with architectural detailing and landscaping.*

**2. Roof-mounted equipment**

- (a) Roof mounted equipment, such as air conditioning units, should be screened from view.



**3. Backflow devices and utilities**

- (a) Backflow devices and other utility equipment should be screened from view, through landscaping, finished in a subdued color or a combination of these techniques (see below).

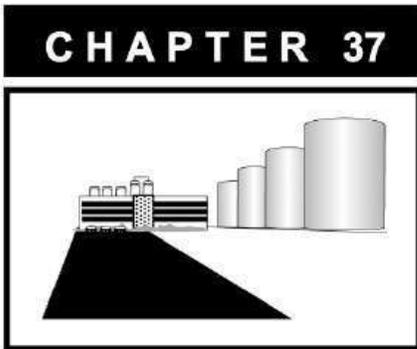


**4. Lighting**

- (a) Lighting should be an integral part of the architectural style of a project. Cobra-head style lights or other basic utility styles should be avoided.



*Lighting should be architecturally appropriate to the overall project. Decorative lighting is preferred over standard utilitarian light fixtures.*



## **Industrial Zones: IL (Light Industrial) I (Heavy Industrial)**

### **Sections**

<b>17.37.010</b>	<b>Purpose</b>
<b>17.37.020</b>	<b>Permitted and Conditionally Permitted Uses</b>
<b>17.37.030</b>	<b>Site Plan Review</b>
<b>17.37.040</b>	<b>Development Standards</b>
<b>17.37.050</b>	<b>Fences, Walls and Hedges</b>
<b>17.37.060</b>	<b>Off-Street Parking and Loading Facilities</b>
<b>17.37.070</b>	<b>Signs</b>
<b>17.37.080</b>	<b>Landscaping</b>
<b>17.37.090</b>	<b>Design Guidelines</b>
<b>17.37.100</b>	<b>Performance Standards</b>

### **17.37.010 Purpose**

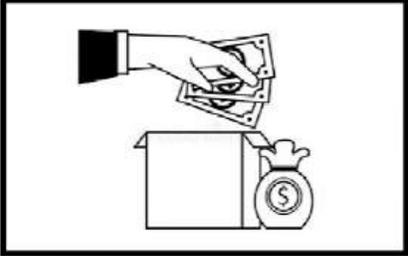
The purpose of Farmersville’s Industrial zones is to provide appropriate locations in the community for industrial uses and related activities. Two zones are established:

- “IL” This zone is the “Light Industrial” zone and provides for uses such as light manufacturing, warehousing, storage, service commercial and similar uses. Of note, this zone also allows for retail cannabis uses, consistent with the City’s “Cannabis Control Ordinance (Chapter 17.41 of the Farmersville Municipal Code.
- “I”. This zone is the “Heavy Industrial” zone and provides spaces for more intensive industrial and manufacturing activities.

Development standards in the Industrial zones are designed to promote the following:

- (1) to protect appropriate areas for industrial use from intrusion by residences and other inharmonious uses,

**CHAPTER 35**



**Permitted Uses in Commercial Zones**

**Sections**

- 17.35.010 Purpose**
- 17.35.020 Contents**

**17.35.010 Purpose.**

This chapter establishes Table 35-1 which contains a list of commercial uses that are permitted in each commercial zone within the City of Farmersville. The intent is to ensure (to the degree practical) that commercial neighborhoods function in a harmonious manner and that uses with similar operating characteristics are reasonably grouped and do not conflict with one another and surrounding areas and zones.

**17.35.020 Permitted Uses Table**

Table 33-1 lists uses that are permitted in Farmersville’s commercial zones. Permitted uses are listed in the left column and the City’s commercial zones are listed across the top. To determine whether a particular use is permitted (and whether it is subject to any special requirements) each box is marked with one of the following:

- P: Permitted
- C: Permitted by Conditional Use Permit
- (S): Where the use is listed as permitted (or Conditionally Permitted) along with the letter “(S)”, the use is permitted subject to special standards contained in Chapter 17.43.
- A box in the table with no letter indicates that the use is not permitted in this zone.

In addition, any use that is judged by the City Planner to be similar in nature to other permitted uses may be considered a permitted use. Further, any use judged by the City Planner to be similar in nature to a Conditionally Permitted use may be considered as such (permitted by Conditional Use Permit).

Farmersville Zoning Ordinance  
Chapter 35: Permitted Uses in Commercial Zones

For ease of use, the uses in Table 35-1 are grouped into similar categories, as follows:

- A. Educational facilities and schools
- B. Automotive and vehicular uses
- C. Entertainment and Recreational Facilities and Uses
- D. Restaurants, cafes, eating and drinking establishments and related facilities
- E. Offices and related uses
- F. Personal Services
- G. Public and Semi-Public Uses
- H. Residential Uses
- I. Retail Stores and related uses
- J. Service Commercial, minor manufacturing, processing and related uses
- K. Utilities and related activities
- L. Other Uses

**Table 35-1: Permitted Uses in Commercial Zones**

	<b><u>Zones</u></b>				
<b>A. Educational facilities and schools, including:</b>	CG	CS	CC	CH	P/QP
Art and craft schools and colleges	P	P	P		
Beauty colleges	P	P	P		
Business, professional, and trade schools and colleges	P	P	P		
Day care centers (licensed family, up to 14 attendees)	P		P		
Day care centers (more than 14 attendees)	C	C	C		
Music and dance studios	P	P	P		

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 35: Permitted Uses in Commercial Zones

	Zones				
<b><i>B. Automotive and vehicular uses including vehicle sales, servicing repair and parts, etc., including:</i></b>	CG	CS	CC	CH	P/QP
Automobile parts stores	P	P	P	P	
Automobile audio and security installations within an enclosed structure	P	P			
Automobile detailing, hand car wash within an enclosed building	P	P			
Automobile oil and lube shop	P	P			
Automobile repair, body and fender repair	P	P			
Automobile sales, new, including service and repair within an enclosed building	P	P			
Automobile sales, used, including service and repair within an enclosed building	P	P			
Automobile upholstery and top shops	P	P			
Boat sales and service	P	P			
Car wash (self-service)	P	P		P	
Car wash, including use of mechanical conveyors, blowers and steam cleaning	P	P		P	

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 35: Permitted Uses in Commercial Zones

	Zones				
<b><i>B. Automotive and vehicular uses including vehicle sales, servicing repair and parts, etc., including:</i></b>	CG	CS	CC	CH	P/QP
Equipment rental yards		P			
Farm equipment sales and service		P			
Gasoline service stations, including dispensing of diesel and liquid petroleum gas fuels and complete truck service	C	C		C	
Gasoline service stations, excluding truck service and dispensing of diesel fuel to trucks	P	P		P	
Mobile home, recreational vehicle and trailer sales and servicing	P	P			
Motorcycle sales and service	P	P			
Muffler shop	P	P			
Rental equipment, including trailers, trucks and cars	P	P			
Tire rebuilding, recapping and retreading		P			

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 35: Permitted Uses in Commercial Zones

 <b>C. Entertainment and Recreational Facilities and Uses, including:</b>	Zones				
	C-G	C-S	C-C	C-H	P/QP
Adult bookstores and adult movie theaters as provided for in Title 17		C			
Arcades	P		P	P	
Bowling alleys	P		P	P	
Card rooms	P		P		
Dance halls or facilities that offer dancing in conjunction with another use	C		C		
Health clubs	P		P		
Live music venues	C		C		
Pool and billiards, including in conjunction with a restaurant	P		P		
Recreational facilities including miniature golf, gymnastics, batting cages, soccer facilities, ice skating and roller rinks, and other facilities determined by the City Planner to be reasonably similar	C			C	C
Shooting range, indoor		P			
Theaters and auditoriums	P		P	P	

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 35: Permitted Uses in Commercial Zones

	Zones				
<b><i>D. Restaurants, cafes, eating and drinking establishments and related facilities where products are typically consumed onsite, or prepared for offsite consumption, including:</i></b>	C-G	C-S	CC	CH	P/QP
Bakeries, retail and wholesale	P	P	P	P	
Bars and cocktail lounges	C	C	C	C	
Breweries, micro	C	C	C	C	
Candy store	P	P	P	P	
Delicatessens	P	P	P	P	
Drive-thru restaurants	P	P		P	
Restaurants serving alcoholic beverages	P	P	P	P	
Restaurants, including restaurant with bar/lounge	C	C	C	C	
Restaurants and cafes, including outdoor cafes, but excluding the sale of alcoholic beverages	P	P	P	P	

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 35: Permitted Uses in Commercial Zones

	Zones				
<b><i>E. Offices and related uses, including:</i></b>	CG	CS	CC	CH	P/QP
Banks and financial institutions	See "F. Personal Services"				
Blueprint and photocopy shops	P	P	P		
Clinics (medical)	P	P	P		
Medical and dental laboratories and clinics including out-patient facilities and prescription pharmacies in conjunction therewith, or with a hospital	P	P	P		
Medical buildings, professional medical buildings, including dentists, physicians, podiatrists, ophthalmologists, and similar practitioners	P	P	P		
Offices	P	P	P		

	Zones				
<b><i>F. Personal Services, including:</i></b>	CG	CS	CC	CH	P/QP
Banks, including drive-in banks and other savings and lending agencies	P		P		
Barber shops and beauty shops	P	P	P		
Body piercing shops	C		C		
Cleaning, pressing and dyeing shops (retail only, dry cleaning, cleaning clothes in enclosed	P	P	P		

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 35: Permitted Uses in Commercial Zones

	Zones				
<b>F. Personal Services, including:</b>	CG	CS	CC	CH	P/QP
machines, nonflammable cleaning compounds)					
Copy and blueprint shops	P	P	P		
Dry cleaning service	P	P			
Laundries and laundromats	P	P	P		
Locksmiths	P	P	P		
Massage therapy	C		C		
Pet grooming business, no overnight stay for pets	P	P	P		
Pet grooming business, with overnight stay for pets for a maximum of five nights	C	C	C		
Photography studios	P	P	P		
Tattoo shops and body piercing	C	C	C		
Taxidermists	P	P	P		

	Zones				
<b>G. Public and Semi-Public Uses, including:</b>	CG	CS	CC	CH	P/QP
Ambulance service	P	P			
Churches and other religious institutions	P		P		
City, county, state and federal administrative	C	C	C		P

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 35: Permitted Uses in Commercial Zones

	Zones				
<b>G. Public and Semi-Public Uses, including:</b>	CG	CS	CC	CH	P/QP
offices, libraries and police and fire stations					
Libraries	P	P	P		P
Mortuaries and funeral homes	P		P		
Hospitals, sanitariums, rest homes, nursing homes, family care homes, foster homes or group homes, including state authorized homes	C		C		
Public parking lots or structures	P	P	P		P
Public and quasi-public uses of an educational or religious type, including public and private elementary, junior and senior high schools, colleges, nursery schools, trade schools and private schools	P				P
Public uses of a cultural type, including museums and art galleries	P		P		
Public utility service yards, electrical and gas transmission stations	P	P	P		P
Wedding chapels	P		P		

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 35: Permitted Uses in Commercial Zones

	Zones				
<b>H. Residential Uses, including:</b>	CG	CS	CC	CH	P/QP
Accessory Dwelling Units and Junior Accessory Dwelling Units, subject to standards contained in Chapter 17.41 (Special Uses)	P(S)		P(S)		
Dwellings for a caretaker or watchman and his immediate family, necessary and incidental to a use located in such zone	C	C	C	C	
Emergency Shelter		P			
Hotel and motels	P		P	P	
Low Barrier Navigation Center		P			
Mixed land use in conformance with Chapter 17.43 (Special Uses)	P(S)		P(S)		
Multi-Family Residential units when master-planned in conformance with standards of the RM-1.5 zone and the CC zone.			P		
Single Room Occupancy Units			P		

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 35: Permitted Uses in Commercial Zones

	Zones				
<b><i>I. Retail Stores and related uses, including:</i></b>	<b>CG</b>	<b>CS</b>	<b>CC</b>	<b>CH</b>	<b>P/QP</b>
Apparel stores	P	P	P	P	
Appliance sales	P	P	P	P	
Antique stores	P	P	P		
Art galleries	P		P		
Book stores	P		P		
Cell phone stores	P		P	P	
Convenience stores, including stores that sell alcoholic beverages and tobacco products	C	C	C	C	
Department stores	P	P	P	P	
Drug stores and pharmacies, including sales of alcoholic beverages	P		P	P	
Feed and seed stores	P	P	P		
Florists	P		P		
Furniture stores	P		P		
Garden supplies	P	P	P		
Gift, novelty or souvenir shops	P	P	P		
Gunsmith shops	P	P	P		
Hardware and home improvement stores	P	P	P	P	
Health food stores	P		P		
Hobby supply stores	P	P	P		
Hydroponic stores	P	P	P		

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 35: Permitted Uses in Commercial Zones

	Zones				
<b><i>I. Retail Stores and related uses, including:</i></b>	CG	CS	CC	CH	P/QP
Jewelry stores, including clock and watch repairing	A		P		
Liquor stores	C		C		
Machinery sales and rentals		P			
Manufacturing and repair activities incidental to a permitted or conditionally-permitted retail use, where the manufacturing function occupies no more than 25% of the building or site.	P	P	P		
Medical and orthopedic appliance stores	P	P	P		
Music stores	P	P	P		
Paint and wallpaper stores	P	P	P		
Pawn shops	P	P	P		
Pet shops	P	P	P		
Shoe stores	P	P	P	A	
Sporting goods stores	P	P	P		
Supermarkets, including the sales of alcoholic beverages	P		P	P	
Thrift shops and secondhand stores	P		P		
Tobacco stores and smokeshops	C		C		
Toy stores	P		P		
Variety stores	P		P		
Wholesale establishments	P	P			

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 35: Permitted Uses in Commercial Zones

	Zones				
<b><i>J. Service Commercial, minor manufacturing, processing and related uses, including:</i></b>	<b>CG</b>	<b>CS</b>	<b>CC</b>	<b>CH</b>	<b>P/QP</b>
Animal hospitals and kennels and veterinarians		P	P		
Building materials, sales and storage	P	P			
Cabinet shops	P	P			
Catering	P	P	P		
Ceramics and pottery studios	P	P	P		
Contractor's storage yards	P	P			
Electrical appliance and incidental repair shops	P	P	P		
Electrical shops	P	P	P		
Exterminators		P			
Food lockers (no slaughtering, handling of dressed meats only)	P	P	P		
Glass shops		P			
Heating and ventilating or air conditioning shops, including incidental sheet metal		P			
Laboratories, experimental and testing		P			

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 35: Permitted Uses in Commercial Zones

	Zones				
<b><i>J. Service Commercial, minor manufacturing, processing and related uses, including:</i></b>	CG	CS	CC	CH	P/QP
Lumber yards, not including planing mills or saw mills		P			
Machine shops		P			
Petroleum products storage; provided, that gasoline, kerosene and similar highly inflammable products shall be stored underground		P			
Plumbing and sheet metal shops		P			
Upholstery shops		P			
Veterinarian offices and small animal hospitals or clinics including short-term boarding of animals and incidental care such as bathing and trimming; provided, that all operations are conducted entirely within a completely enclosed structure which complies with specifications of soundproof construction prescribed by the Uniform Building Code		P			

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 35: Permitted Uses in Commercial Zones

 <b>K. Utilities and related activities, including:</b>	Zones				
	CG	CS	CC	CH	P/QP
Communication and wireless facilities (e.g. "cell towers", with stealthing)	P	P		P	
Communication and wireless facilities, without stealthing	C	C		C	C
Communications equipment buildings	P	P	P	P	P
Electrical distribution substations, communication equipment buildings, gas regulator stations and utility pumping stations and elevated pressure tanks	P	P			P
Gas and electric transmission lines, electrical transmission and distribution substations, gas regulator stations, communications equipment buildings, public service pumping stations and elevated pressure tanks	P	P	P	P	P
Microwave relay stations		P			
Solar energy system		P			P
Water pump stations	P	P	P	P	

KEY: P = Permitted  
C = Permitted by Conditional Use Permit  
(S) = Subject to standards in Chapter 17.43 (Special Uses)  
□ = Not permitted

Farmersville Zoning Ordinance  
Chapter 35: Permitted Uses in Commercial Zones

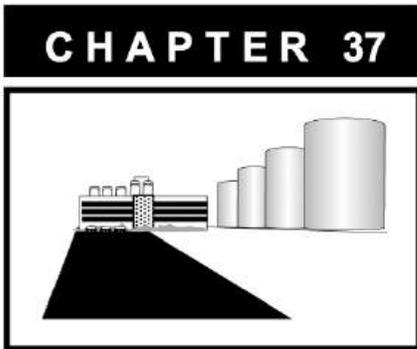
<b>etc.</b>	<b>Zones</b>				
<b>L. Other Uses, including:</b>	<b>CG</b>	<b>CS</b>	<b>CC</b>	<b>CH</b>	<b>P/QP</b>
Auction rooms	P	P	P		
Hookah bar	C		C		
Ice dispensers (coin-operated)	P	P	P	P	
Kennels	C	C	C		
Meeting or social halls	P	P	P		
Meeting or social halls with fewer than four thousand square feet of floor space that do not operate after twelve a.m.	P	P	P		
Mini-storage facilities		P			
Planned unit development subject to provisions of Chapter 17.92	C	C	C	C	
Private clubs and lodges	P	P	P		
Recycling – reverse vending machines	P(S)	P(S)		P(S)	
Recycling – Small Collection Facility	P(S)	P(S)		P(S)	
Recycling – Large Collection Facility		C(S)			
Recycling – Light Processing Facility		C(S)			
Storage buildings incidental to a permitted use	P	P	P	P	
Swap meets	C	C			
Other uses determined by the City Planner to be reasonably similar in nature and	P	P	P	P	

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 35: Permitted Uses in Commercial Zones

<b>etc.</b>	<b>Zones</b>				
<b>L. Other Uses, including:</b>	<b>CG</b>	<b>CS</b>	<b>CC</b>	<b>CH</b>	<b>P/QP</b>
operational characterists to a permitted use in the zone					
Other uses determined by the City Planner to be reasonably similar in nature and operational characterists to a Conditionally-permitted use in the zone	C	C	C	C	

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 = Not permitted



## **Industrial Zones: IL (Light Industrial) I (Heavy Industrial)**

### **Sections**

<b>17.37.010</b>	<b>Purpose</b>
<b>17.37.020</b>	<b>Permitted and Conditionally Permitted Uses</b>
<b>17.37.030</b>	<b>Site Plan Review</b>
<b>17.37.040</b>	<b>Development Standards</b>
<b>17.37.050</b>	<b>Fences, Walls and Hedges</b>
<b>17.37.060</b>	<b>Off-Street Parking and Loading Facilities</b>
<b>17.37.070</b>	<b>Signs</b>
<b>17.37.080</b>	<b>Landscaping</b>
<b>17.37.090</b>	<b>Design Guidelines</b>
<b>17.37.100</b>	<b>Performance Standards</b>

### **17.37.010 Purpose**

The purpose of Farmersville’s Industrial zones is to provide appropriate locations in the community for industrial uses and related activities. Two zones are established:

- “IL” This zone is the “Light Industrial” zone and provides for uses such as light manufacturing, warehousing, storage, service commercial and similar uses. Of note, this zone also allows for retail cannabis uses, consistent with the City’s “Cannabis Control Ordinance (Chapter 17.41 of the Farmersville Municipal Code.
- “I”. This zone is the “Heavy Industrial” zone and provides spaces for more intensive industrial and manufacturing activities.

Development standards in the Industrial zones are designed to promote the following:

- (1) to protect appropriate areas for industrial use from intrusion by residences and other inharmonious uses,

- (2) to provide opportunities for certain types of industrial uses to concentrate in mutually beneficial relationships to one other;
- (3) to provide adequate space to meet the needs of modern industrial development, including truck parking, off-street parking and loading;
- (4) to provide industrial employment opportunities for residents of the region; and
- (5) to operate in a manner that protects the public health, safety and welfare by ensuring that potential harmful impacts such as noise, vibration, noxious fumes, fire, and explosions, are avoided.
- (6) to establish standards that result in industrial development that is attractive and functional.

**17.37.020 Permitted and Conditionally Permitted Uses**

The following table lists uses that are permitted and conditionally-permitted in the “I” and “IL” zones. Symbols used in the table are as follows:

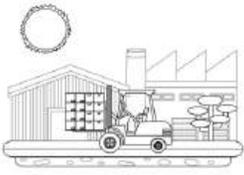
- “P” = The use is permitted in that particular zone
- “C” = The use is permitted by Conditional Use Permit in that particular zone
- “-“ = The use is not permitted in that particular zone

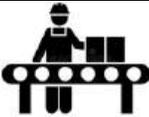
**Table 37-1: Permitted Uses in Commercial Zones**

 <b>A. Automotive and motor vehicle uses, including:</b>	<b>Zones</b>	
	<b>IL</b>	<b>I</b>
Automobile and tractor parts and equipment stores	P	P
Auto parts sales	P	
Automobile upholstery shops	P	P
Automobile, truck and trailer accessories and parts manufacture		P
Boat servicing	P	P

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 37: Industrial Zones (“I” “IL”)

	<u>Zones</u>	
	IL	I
<b><u>B. Industrial Yard Uses, including:</u></b>		
Building materials yards	P	P
Bulk storage and delivery of fuel, including liquefied petroleum gas		C
Gravel, rock and cement yards	C	P
Lumber yards, not including planing mills or saw	P	P
Petroleum products storage; provided, that gasoline, kerosene and similar highly inflammable products shall be stored underground		P
Rock, sand and gravel storage and distribution		P
Vehicle wrecking yards		C

	<u>Zones</u>	
	IL	I
<b><u>C. Manufacturing, Assembly and Processing, including:</u></b>		
Ammonia, bleaching powder or chlorine manufacturing		C
Asphalt and asphalt products manufacture		C
Bakeries, wholesale	P	P
Candy, dairy products, food products, including fruits and vegetables (but not including fish and meat products, pickles, sauerkraut, vinegar or yeast, or refining or rendering of fats and oils)	P	P
Battery manufacture		P
Blacksmith shops	P	P
Bottling works		P
Box manufacturing		P
Breweries		P

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 37: Industrial Zones (“I” “IL”)

 <b>C. <u>Manufacturing, Assembly and Processing, including:</u></b>	<b>Zones</b>	
	<b>IL</b>	<b>I</b>
Building materials manufacture and assembly including composition wallboards, partitions, panels and prefabricated structures		P
Business machine manufacture including accounting machines, calculators, card counting equipment and typewriters		P
Cabinet shops, carpentry and woodworking	P	P
Cannabis businesses, including manufacture of edible cannabis products, non-edible cannabis products, warehousing cannabis and cannabis products, Wholesaling and distribution of cannabis and cannabis products, Cannabis cultivation and Cannabis Testing Laboratories, subject to regulations contained in Chapter 17.41 (Special Uses)	C(S)	C(S)
Can and metal container manufacture		P
Candle manufacture, not including rendering		P
Cement and concrete products and manufacture, provided no hazard of fire or explosion is created, including adhesives, bleaching products, bluing, calcimine, dyestuffs (except aniline dyes), essential oils, soda and soda compounds and vegetable gelatin, glue and size		P
Ceramic and pottery	P	P
Charcoal, lampblack and fuel briquettes manufacture		C
Chemical products manufacture including acetylene, aniline dyes, carbide, caustic soda, cellulose, chlorine, cleaning and polishing preparations, creosote, exterminating agents, hydrogen and oxygen, industrial alcohol, nitrating of cotton or other materials, nitrates of an explosive nature, potash, pyroxylin, rayon yarn, and carbolic, hydrochloric, picric and sulphuric acids		C
Clay products manufacture including brick, fire brick, tile and pipe	C	P
Coal, coke and tar products manufacture		C
Cosmetics, drugs, pharmaceuticals, and toiletries (not including refining or rendering of fats or oils)		P
Cotton ginning, cotton wadding, cotton seed processing and lint manufacture		P
Dairy products plants		P
Detergent manufacture		P

KEY: P = Permitted  
C = Permitted by Conditional Use Permit  
(S) = Subject to standards in Chapter 17.43 (Special Uses)  
□ = Not permitted

Farmersville Zoning Ordinance  
Chapter 37: Industrial Zones (“I” “IL”)

 <b>C. <u>Manufacturing, Assembly and Processing, including:</u></b>	<b>Zones</b>	
	<b>IL</b>	<b>I</b>
Drop forges		C
Electrical supplies such as coils, condensers, insulation, lamps, switches and wire and cable assembly		P
Electroplating shops		C
Explosives manufacture and storage		C
Fertilizer manufacture and storage		C
Firearms manufacture		P
Fish products processing and packaging		C
Food products manufacture including such processing as cooking, dehydrating, roasting, refining, pasteurization and extracting involved in the preparation of such products as casein, cereal, chocolate and cocoa products, cider and vinegar, coffee, fruits and vegetable, glucose, milk and dairy products, molasses and syrups, oleo/margarine, pickles, sauerkraut, sugar, vegetable oils and yeast		P
Frozen food processing, storage and accessory sales		P
Gas manufacture or storage		C
Gelatin, glue and size manufacture from animal or fish refuse		C
Glass and glass products manufacture		P
Grain rolling and storage		C
Graphite and graphite products manufacture		P
Ink manufacture		P
Insecticides, fungicides, disinfectants and similar agricultural, industrial and household chemical compounds manufacture		P
Jute, hemp, sisal and oakum products manufacture		P
Lard manufacture		C
Leather and fur finishing and dyeing, not including tanning and curing	C	P
Linoleum and oil cloth manufacture		C
Lumber processing and woodworking including planing mills and saw mills, excelsior, plywood, veneer and wood-preserving treatment		C
Machine shops	P	P

KEY: P = Permitted  
C = Permitted by Conditional Use Permit  
(S) = Subject to standards in Chapter 17.43 (Special Uses)  
□ = Not permitted

Farmersville Zoning Ordinance  
Chapter 37: Industrial Zones (“I” “IL”)

 <b>C. <u>Manufacturing, Assembly and Processing, including:</u></b>	<b>Zones</b>	
	<b>IL</b>	<b>I</b>
Machine tools manufacture	C	P
Machinery manufacture including heavy electrical, agricultural, construction and mining machinery, and light machinery and equipment such as air conditioning, commercial motion picture equipment, dishwashers, dryers, furnaces, heaters, refrigerators, stoves and washing machines		P
Scientific, medical, dental, and drafting instruments, orthopedic and medical appliances, cameras and photographic equipment, electronic equipment, musical instruments, precision instruments, optical goods, watches and clocks		P
Meat products processing and packaging, not including slaughtering and glue and size manufacture		C
Metal alloys and foil manufacture including solder, pewter, brass, bronze and tin, lead and gold foil		P
Metal and metal ores reduction, refining, smelting and alloying		C
Metal casting and foundries (not including magnesium foundries)		P
Motor and generator manufacture and testing		P
Paint manufacture including enamel, lacquer, shellac, turpentine and varnish		C
Paper products manufacture including shipping containers, pump goods, carbon paper and coated paper stencils		P
Paraffin products manufacture		P
Planing mill, excluding refuse burning combine with lumber milling		P
Plastic manufacture		P
Porcelain products manufacture including bathroom and kitchen fixtures and equipment		P
Poultry and rabbit processing		P
Precious metals reduction, smelting and refining		P
Prefabricated buildings manufacture		P
Rubber manufacture or processing including natural or synthetic rubber		P
Sheet metal shops	P	P
Shoe polish manufacture		P

KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 37: Industrial Zones (“I” “IL”)

 <b>C. <u>Manufacturing, Assembly and Processing, including:</u></b>	<b>Zones</b>	
	<b>IL</b>	<b>I</b>
Sign manufacture	P	P
Soap manufacture including fat rendering		C
Soda and compound manufacture		P
Steel products manufacture and assembly including steel cabinets and lockers, doors, fencing and furniture		P
Structural steel products manufacture including bars, girders, rail and wire rope		P
Tallow manufacture		C
Tanneries and curing and storage of rawhides		C
Tire manufacturing, rebuilding, recapping and retreading		P
Wire and cable manufacturing		P
Wood pulp and fiber reduction and processing		C

 <b>D. <u>Public and Semi-Public/Institutional Uses, including:</u></b>	<b>Zones</b>	
	<b>IL</b>	<b>I</b>
Ambulance service	P	P
Communication and wireless facilities, with or without stealthing	P	P
Communications equipment buildings	P	P
Electrical distribution substations, communication equipment buildings, gas regulator stations and utility pumping stations	P	P
Public buildings and grounds	P	P
Public utility service yards, electrical and gas transmission stations	P	P

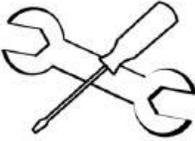
KEY: P = Permitted  
 C = Permitted by Conditional Use Permit  
 (S) = Subject to standards in Chapter 17.43 (Special Uses)  
 □ = Not permitted

Farmersville Zoning Ordinance  
Chapter 37: Industrial Zones (“I” “IL”)

 <b>E. Sales Uses and related activities, including:</b>	<b>Zones</b>	
	<b>IL</b>	<b>I</b>
Cannabis dispensary, subject to regulations contained in Chapter 17.41 (Special Uses)	C(S)	
Equipment rental yard	P	
Farm equipment sales and service	P	
Feed and seed stores	P	
Garden supply stores and nurseries; provided, that all equipment, supplies and merchandise, other than plants, shall be kept within a completely enclosed building or under lath structure; and further provided, that fertilizer of any type shall be stored and sold in packaged form only	P	
Gasoline service stations, including dispensing of diesel and liquid petroleum gas fuels and complete truck service. Note: Sales of alcoholic beverages requires a Conditional Use Permit	P	
Glass shops	P	
Hardware stores	P	
Hydroponic stores	P	
Machinery sales and rentals	P	P
Rental equipment, including trailers, trucks, and cars	P	
Retail sales on the grounds of a manufacturing facility, where the retail function does not occupy more than 25% of the floor space or active use area.	P	P
Wholesale establishments	P	P

KEY: P = Permitted  
C = Permitted by Conditional Use Permit  
(S) = Subject to standards in Chapter 17.43 (Special Uses)  
□ = Not permitted

Farmersville Zoning Ordinance  
Chapter 37: Industrial Zones (“I” “IL”)

 <b>F. <u>Service, Repair and Related businesses</u></b>	<b>Zones</b>	
	<b>IL</b>	<b>I</b>
Appliance and repair shops, with incidental sales	P	P
Carpenters' shops and incidental sales	P	P
Cleaning, pressing and dyeing establishments (using nonflammable and nonexplosive cleaning fluid)	P	P
Diaper supply services		P
Electrical appliance and incidental repair shops	P	
Electrician shops	P	P
Exterminators	P	P
Heating and ventilating or air conditioning shops, including incidental sheet metal	P	P
Household and office equipment and machinery repair shops	P	P
Janitorial service	P	P
Laundries and laundromats (industrial scale)	P	P
Linen supply services	P	P
Plumbing and sheet metal shops	P	P
Pool service and supply	P	P
Printing, blueprint processing, lithographing, and engraving	P	P
Recycling – Reverse Vending Machine	P(S)	P(S)
Recycling – Small Collection Facility	P(S)	P(S)
Recycling – Large Collection Facility	P(S)	P(S)
Recycling – Light Processing Facility	P(S)	P(S)
Recycling – Large Processing Facility	P(S)	P(S)
Rug and carpet cleaning and dyeing	P	P
Sand blasting		P
Taxidermists	P	P
Towing: tow and store; tow and repair; tow and sales	P	P
Welding and blacksmithing shops, excepting drop hammer	P	P

KEY: P = Permitted  
C = Permitted by Conditional Use Permit  
(S) = Subject to standards in Chapter 17.43 (Special Uses)  
□ = Not permitted

Farmersville Zoning Ordinance  
Chapter 37: Industrial Zones (“I” “IL”)

 <b>G. <u>Storage and Warehousing</u></b>	<b>Zones</b>	
	IL	I
Cold storage plants		P
Contractor’s storage yards	P	P
Food lockers (no slaughtering, handling of dressed meats only)	P	P
Freight forwarding terminals		P
Manure, peat and topsoil processing and storage		C
Mini-storage facilities		P
Petroleum gas bulk storage and delivery		C
Recreational vehicle and boat storage	P	P
Storage of inflammable liquids		C
Warehouses (except for the storage of fuel oil or flammable liquids and explosives)	P	P

<p style="text-align: center; font-size: 2em;"><b>etc.</b></p> <b>H. <i>Miscellaneous uses, including:</i></b>	<b>Zones</b>	
	IL	I
Accessory buildings and uses (including storage buildings) customarily incidental to any permitted or conditionally-permitted use	P	P
Animal hospitals and kennels and veterinarians. Kennels must be located at least 500 feet from any residential zone.	P	P
Dwellings for a caretaker or watchman and his immediate family, necessary and incidental to a use located in such zone	P	P
Junk yards/landfills		C
Laboratories, experimental and testing	P	P
Mobile food trucks, subject to standards contained in Section 17.41 (Special Uses)	C(S)	C(S)
Offices (freestanding and as part of a permitted use)	P	P

KEY: P = Permitted  
C = Permitted by Conditional Use Permit  
(S) = Subject to standards in Chapter 17.43 (Special Uses)  
□ = Not permitted

Farmersville Zoning Ordinance  
Chapter 37: Industrial Zones (“I” “IL”)

<b>etc.</b>  <b>H. Miscellaneous uses, including:</b>	<b>Zones</b>	
	<b>IL</b>	<b>I</b>
Parcel and package delivery services	P	P
Parking facilities (off-site)	P	P
Planned unit development subject to provisions of Chapter 17.39	C	C
Restaurants and restaurants with drive-thru lane	P	
Shooting range, indoor		C
Solar electricity generating plant	C	C
Solar energy system	P	P
Temporary construction storage yard	P	P
Temporary uses (subject to standards contained in Section 17.41) (Special Uses)	P(S)	P(S)
Trucking terminals	P	P
Any use determined by the City Planner to be reasonably similar in operational characteristics to a permitted use	P	P
Any use determined by the City Planner to be reasonably similar in operational characteristics to a conditionally-permitted use	C	C

**17.37.030 Site Plan Review**

No development shall be constructed on any lot or site in this district until a site plan has been submitted and approved consistent with Chapter 17.51 (Site Plan Review), (or a Conditional Use Permit for uses listed as such).

KEY: P = Permitted  
C = Permitted by Conditional Use Permit  
(S) = Subject to standards in Chapter 17.43 (Special Uses)  
□ = Not permitted

**17.37.040 Development Standards (see also Exhibit 37-1)**

a. Site Area, Lot Frontage and Depth

No requirement.

b. Building Height

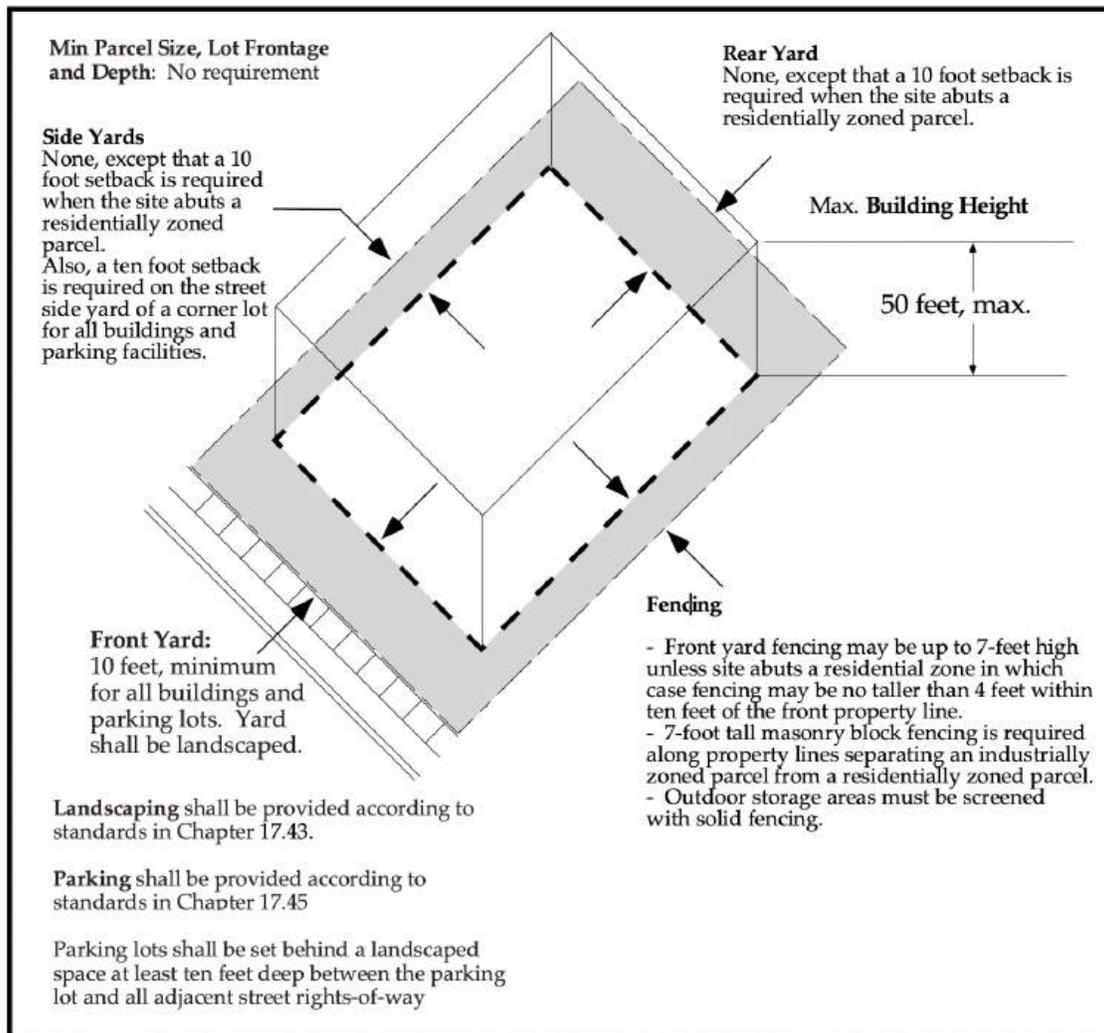
The maximum height of structures shall be 50 feet.

c. Yards

1. Front: 10 feet, minimum. In addition, parking lots shall be separated by a landscaped setback of at least ten feet from a front property line, and also the side property line for the street side yard on corner lots.
2. Side: No requirement unless the subject property abuts a residential district, wherein the minimum side yard shall be 10 feet, or where the site is a corner lot, in which a 10 foot setback is required on the street side yard. In addition, any parking lot shall be set back at least ten feet behind the property line along a street side yard and the space between the parking lot and street shall be landscaped.
3. Rear: No requirement unless the subject property abuts a residential district, wherein the minimum yard shall be 10 feet.

KEY: P = Permitted  
C = Permitted by Conditional Use Permit  
(S) = Subject to standards in Chapter 17.43 (Special Uses)  
□ = Not permitted

**Exhibit 37-1: Zoning Standards**



**17.37.050 Fences, Walls and Hedges**

- Front Yards: Fences, walls and hedges shall not exceed seven feet in height, unless the site abuts a residential zone in which case fencing within ten feet of the front property line shall be no higher than four feet.
- Rear and Side Yards: Fences, walls, and hedges shall not exceed seven feet in height.

KEY: P = Permitted  
C = Permitted by Conditional Use Permit  
(S) = Subject to standards in Chapter 17.43 (Special Uses)  
□ = Not permitted

- c. Where a property zoned “I” or “IL” abuts a residential district, a 7-foot solid block masonry wall shall be constructed between the two uses.
- d. The outdoor storage of equipment or materials shall be screened from the view of any adjoining public right-of-way with a 7-foot solid block wall, or 6-foot chain-linked fence with slats and landscaping.

**17.37.060 Off-Street Parking and Loading Facilities**

- a. Uses in the “I” and “IL” zones shall provide off-street parking consistent with Chapter 17.45 (Parking and Loading).
- b. Parking lots shall be designed and constructed so that within five years of construction, 50 percent of the parking lot is shaded by trees.
- c. Parking lots shall be designed to accommodate solid waste pick-up.
- d. Storage areas shall be surfaced with asphalt/concrete or gravel.

**17.37.070 Signs**

Signs shall be consistent with the requirements detailed in Chapter 17.47 (Signs).

**17.37.080 Landscaping**

- a. A landscaping and irrigation plan shall be submitted on all neighborhood commercial developments to the City Planner for review and approval consistent with the standards in Chapter 17.43 (Landscaping). All setback areas along streets shall be landscaped.
- b. The landscaping and irrigation plan shall show a tree-planting scheme in the parking lot that will result in 50 percent of the parking lot being shaded within five years.
- c. The landscaping and irrigation plan shall provide for a minimal amount of turf and shall incorporate a variety of xerophytic plants, mulch to reduce water use, and an automated irrigation system that incorporates water conservation technology, including drip irrigation, smart irrigation controllers, and low-flow irrigation heads.

KEY: P = Permitted  
C = Permitted by Conditional Use Permit  
(S) = Subject to standards in Chapter 17.43 (Special Uses)  
□ = Not permitted

- d. Parking lots should be screened from adjacent public roadways by low walls and/or hedges.
- e. Vines and climbing plants should be used on perimeter walls in order to soften the appearance of the site and prevent graffiti.
- f. All trash enclosures shall be surrounded by a 6-foot solid block wall and the area around the enclosure shall be landscaped. The gate to the enclosure shall be constructed of metal.

**17.37.090 Design Guidelines**

New development in the Industrial zones shall be designed consistent with the following guidelines.

**a. Site Design**

- 1. Industrial development should be designed in a way that fits in with the surrounding development pattern. This refers to:
  - (a) The size and form of new structures in relationship to existing development. For example, where new buildings and uses are similar to those on adjoining sites, the design should reflect similar setbacks, building heights and form, scale and mass, materials, compatible colors and landscape treatments. The intent is not uniformity, but compatibility.
  - (b) The spatial relationship between structures and street right-of-way;
  - (c) circulation patterns;
  - (d) architectural elements in surrounding development.
- 2. New buildings should be oriented toward the adjoining public streets, so that public entrances are a focal point on the building and site layout.

KEY: P = Permitted  
C = Permitted by Conditional Use Permit  
(S) = Subject to standards in Chapter 17.43 (Special Uses)  
□ = Not permitted

Exhibit 37-2



*The front of this industrial site has the appearance of an office and has generous landscaping. Equipment storage and industrial activities are primarily on the back side of the building.*

3. The main public entrance to buildings should feature heightened architectural treatment. For example, if the bulk of an industrial structure is a metal warehouse, the main entrance/office area should feature special architectural design consideration – such as:
  - (a) Varied setbacks – insets and projections, as appropriate.
  - (b) Siding that is different from the rest of the building (e.g. stucco, brick or at least different colors).
  - (c) Windows should be framed and/or finished with awnings or similar mechanisms.
  - (d) Other appropriate design techniques.

KEY: P = Permitted  
C = Permitted by Conditional Use Permit  
(S) = Subject to standards in Chapter 17.43 (Special Uses)  
□ = Not permitted

**B. Landscaping and Buffers**

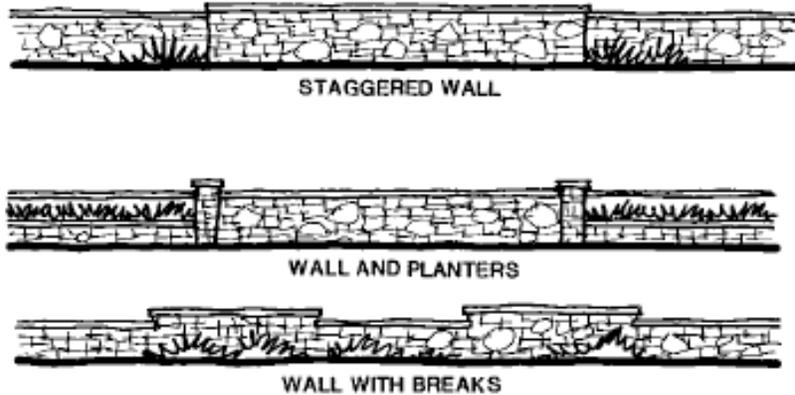
1. Care shall be taken to design industrial sites with adequate landscaping and screening, as well as buffering from sensitive nearby/adjacent uses. Methods to buffer projects should include a combination of increased setbacks, walls, landscaping, berms, etc.
2. Projects should present an attractive landscaped frontage along public streets, with significant landscaped setback areas that include attractive combinations of turf, groundcovers, shrubs and trees.
3. Landscaping should include an appropriate combination of turf, shrubs and shade trees, with an emphasis on low-water use vegetation. Shade trees should be emphasized in paved areas where shading can reduce heat buildup.
4. For beauty as well as graffiti prevention, climbing vines should be used to screen masonry walls, including perimeter walls of trash enclosures and other appropriate locations.

**C. Screening**

1. Buildings, walls and landscaping should be arranged to screen loading and service bays, equipment storage areas, trash enclosures and mechanical equipment.
2. Stored materials may not be stacked or be visible above the height of screening walls.
3. Long expanses of fences or walls should be broken up with periodic columns, insets, landscape pockets or changes in materials. Toward this end, fence or wall runs greater than 50 linear feet shall be articulated with architectural offsets and incorporate landscape pockets.
4. Concrete walls are permitted if faced with masonry or stone, or if the surface is scored or textured.

KEY: P = Permitted  
C = Permitted by Conditional Use Permit  
(S) = Subject to standards in Chapter 17.43 (Special Uses)  
□ = Not permitted

Exhibit 35-3



*Long expanses of screening walls (particularly along public streets) should feature varied setbacks and textures.*

**D. Parking**

1. Parking areas should not be the dominant visual element of a site. It is generally preferable to locate parking lots along the side or to the rear of buildings. Where this is not possible, parking should be buffered with significant landscaping areas.
2. Parking areas shall be landscaped consistent with Zoning standards and guidelines for parking lot landscaping shown in Chapter 17.45 (Parking and Loading).

**E. Service, Delivery and Storage Areas**

1. Locate loading docks, outside storage, and service areas in areas of low visibility such as at the side or at the rear (non-street side) of buildings. These features must be screened from view from public streets, by walls, landscaping, or a combination thereof.
2. With the exception of outside storage areas, when it is not possible to locate loading facilities and service areas on a non-street side of a building, loading docks and doors shall not dominate the building frontage and must be screened from all adjoining public streets.
3. In no case should outside storage areas be located in the front of a building.

KEY: P = Permitted  
C = Permitted by Conditional Use Permit  
(S) = Subject to standards in Chapter 17.43 (Special Uses)  
□ = Not permitted

**F. Signs**

Sign regulations found in the sign ordinance must be observed, however the following general design guidelines should be utilized.

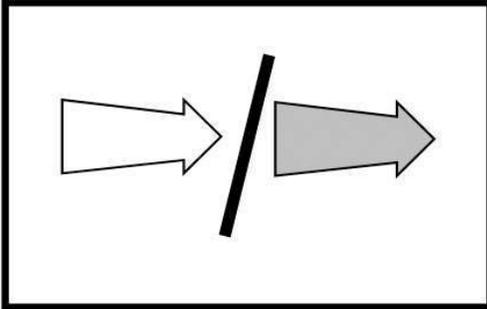
1. Signs should be compatible with the design of the building(s) and its architectural style. The design of freestanding signs should feature architectural elements that relate the sign to the buildings they advertise.
2. Stark color contrasts in signs should be avoided. Sign colors should be muted – use of significant quantities of primary colors should be avoided.
3. Free-standing signs shall be monument-style signs as opposed to pole signs.
4. For multi-tenant buildings or complexes, a coordinated sign design scheme is required.

**17.37.100 Performance Standards**

- a. In the Industrial zones, all open and unlandscaped portions of any lot shall be maintained in good condition, free from weeds, dust, trash and debris.
- b. No use shall be permitted and no process, equipment, or materials shall be employed which are found by the Planning Commission to be injurious to persons residing or working in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, noise, vibrations, illumination, glare or heavy truck traffic, or to involve any hazard of fire, explosion, or to emit electrical disturbances which adversely affect commercial or electronic equipment outside the boundaries of the site.
- c. No solid or liquid wastes shall be discharged into a public or private sewage disposal system except in compliance with the regulations of the owners of the system, and local, state and federal agencies that regulate disposal of these wastes.
- d. In the Industrial zones, all uses shall be subject to the regulations of local, state and federal air quality agencies.

KEY: P = Permitted  
C = Permitted by Conditional Use Permit  
(S) = Subject to standards in Chapter 17.43 (Special Uses)  
□ = Not permitted

## CHAPTER 39



### PD Zone (Planned Development Overlay)

#### Sections

- 17.39.010 Purpose**
- 17.39.020 Applicability**
- 17.39.030 Permitted Uses**
- 17.39.040 Conditional Uses**
- 17.39.050 Application Requirements**
- 17.39.060 Project Review**
- 17.39.070 Development Standards**
- 17.39.080 Other Design Elements for Residential Projects**
- 17.39.090 Findings**

#### **17.39.010 Purpose**

The purpose of the Planned Development (PD) overlay district is to promote development designs that respond to significant planning-related issues facing Valley cities, including the need to protect air quality, reduce urbanization of agricultural land, housing affordability, traffic, aesthetics and the desire to promote more livable neighborhoods.

The Planned Development overlay district is structured to produce a comprehensive development that is superior to traditional development that results from the application of conventional zoning standards.

#### **17.39.020 Applicability**

The PD overlay district can be combined with any single family, multi-family, commercial or industrial district identified in the zoning ordinance. For purposes of identification on the Zoning Map, an established PD overlay district shall be suffixed

with the zoning notation of the district with which it is combined (e.g. R-1 (PD) or CG (PD)).

**17.39.030 Permitted Uses**

Uses permitted in the PD zone are those listed on the permitted use list of the underlying district to which the Planned Development district is being combined.

**17.39.040 Conditional Uses**

Uses permitted subject to a Conditional Use Permit are those listed on the Conditional Use list of the underlying district to which the Planned Development district is being combined.

**17.39.050 Application Requirements**

As part of an application for a zoning ordinance amendment to reclassify property to the Planned Development overlay district, the applicant shall submit to the City a development plan, which shall include the following:

- a. Legal description and boundary survey map of the exterior boundaries of the land to be developed.
- b. A comprehensive description of zoning standards of the underlying zone to which flexibility is being requested.
- c. A site plan of the project that shows information that is required, consistent with Chapter 17.51 (Site Plan Review) of this Ordinance. If the project includes a subdivision then a Tentative Subdivision Map must be submitted, consistent with requirements of Title 16 (Subdivision) of the Farmersville Municipal Code.
- d. Architectural facade drawings of structures and other major building features of the project.
- e. A phase plan, if applicable.
- f. The location and general arrangement of all open space, landscaping and hardscape areas.
- g. An infrastructure and utilities plan.

**17.39.060 Project Review**

No development shall be constructed on any lot or site in this district until a development plan has been submitted and approved consistent with Site Plan Review (Chapter 17.51 or a parcel or subdivision map (consistent with the Farmersville Subdivision Ordinance), as the case may be, as well as a Conditional Use Permit, consistent with Chapter 17.53 (Conditional Use Permits).

**17.39.070 Development Standards**

The following additional development standards together with applicable standards specified in the underlying base zone shall apply to all land and structures within this planned development overlay district, unless flexibility in standards has been clearly identified as part of the development application.

- a. All PD projects shall comply with the City’s Design Guidelines that are applicable to the underlying zone.
- b. For residential projects, an increase in density may be granted, provided the resulting project does not exceed density standards of the General Plan land use category that applies to the site.
- c. A reduction in street width may be requested as long as a finding can be made that the request furthers the intent of the PD zone and the request complies with street safety standards.
- d. A reduction in yard setbacks may be requested as long as a finding can be made that the request furthers the intent of the PD zone.
- e. For residential projects, at least ten percent of the gross area of the site, excluding public streets, parking lots and required setback areas, shall be improved for common open and recreational space.
- f. The conservation of natural site features such as topography, vegetation and water courses shall be considered in the project design.

**17.39.080 Other Design Elements for Residential Projects**

The Planned Development zone should not be viewed as simply a way for a project to have more lots and smaller lots. In order to assist the City Council and Planning Commission to be able to make the finding that the project design is “superior” the City

Farmersville Zoning Ordinance  
Chapter 39: PD Zone (Planned Development Overlay)

may apply additional design requirements, including, but not limited to the following elements:

- A. Compliance with architectural façade styles that are considered native and historic to Farmersville and California (illustrated in the Farmersville Residential Design Guidelines), such as:
  - 1. Spanish
  - 2. Craftsman
  - 3. Mediterranean
  - 4. Victorian
  - 5. Tudor cottage
- B. Homes with a large, usable front porch on the front façade.
- C. Streetscape and traffic calming measures such as:
  - 1. Antique-style pedestrian-scale street lamps
  - 2. Bulb-outs at intersections
  - 3. Roundabouts and traffic circles
  - 4. Stamped and colored cross walks
  - 5. Enhanced landscaping
- D. Other features determined to be appropriate and desirable and necessary to make the determination that the design warrants a deviation from zoning standards and the finding that the project is superior to standard zoning regulations.

**17.39.090 Findings**

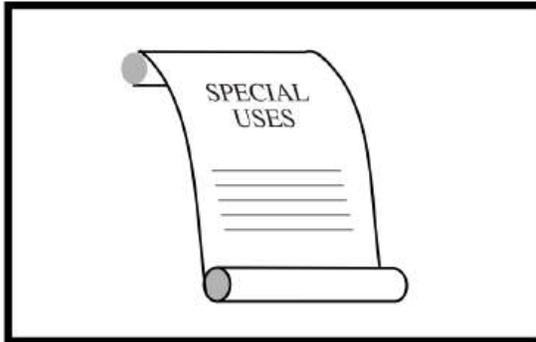
A Planned Development District may be established after the Planning Commission and the City Council, respectively, have made the following findings:

- a. That the area proposed to be so zoned is generally suitable for the proposed project but for reasons affecting public health, safety, comfort, general welfare and orderly community growth or to promote innovative development that responds to community needs, it is appropriate to classify such area within the Planned Development District, subject to a development plan provided for in this Chapter.
- b. That the proposed project authorized by the Planned Development zone will provide benefits and safeguards equal to, or greater than those that would be provided by the regulations applicable to the underlying zone district, with respect to public health, safety, comfort and general welfare and orderly physical growth and development of the City.

Farmersville Zoning Ordinance  
Chapter 39: PD Zone (Planned Development Overlay)

- c. All owners of the property within the proposed Planned Development zone have consented in writing to the adoption of the district and development plan.

# CHAPTER 41



## Special Uses and Standards

### Sections

- 17.41.010 Purpose
- 17.41.020 Home Occupations
- 17.41.030 Mixed Use Developments
- 17.41.040 Service Stations
- 17.41.050 Temporary Uses
- 17.41.060 Caretaker Facilities
- 17.41.070 Modular Structures
- 17.41.080 Recycling/Buyback Centers
- 17.41.090 Accessory Dwelling Units
- 17.41.100 Wireless Telecommunication Equipment
- 17.41.110 Sexually Oriented Businesses
- 17.41.120 Outdoor Storage Yards
- 17.41.130 Marijuana cultivation, manufacturing, testing, transportation and distribution
- 17.41.140 Streamlined Ministerial Approval Process for Affordable Multi-Family Residential projects
- 17.41.150 By Right Approval
- 17.41.160 Replacement Housing Requirements and Occupancy Protections

### 17.41.010 Purpose

The purpose of this chapter is to establish procedures, development standards, and location criteria for special uses within the City of Farmersville. Special uses are those uses that are listed in specific zones which have unusual characteristics and may have the potential for pronounced impacts on their surroundings, and where the City has established standards for the design and operation of such uses. These standards are intended to ensure that these uses do not have an adverse impact on the public health,

safety, or welfare. Special uses and specific development standards for each are listed as follows.

**17.41.020 Home Occupations**

Persons wishing to conduct a home occupation shall apply for a business license/home occupation permit through the Finance Department. Home occupations must be clearly incidental and secondary to the use of a building as a residential dwelling. Home occupations shall comply with the following regulations:

- A. Home occupations may include:
1. Consultive professional occupations, whose function is one of rendering a service and does not involve the dispensing of goods or products.
  2. Secondary business offices associated with the resident, where said business has its principal office, staff and equipment located elsewhere.
  3. The giving of music lessons, swimming lessons and similar occupations.
  4. The home office of a salesperson, where all sales are done by written order with no commodities or displays on the premises.
  5. Drafting, designing and the like, using only normal equipment associated with the activity.
  6. Homemade Foods Businesses subject to standards of the California Homemade Foods Act (as codified in Government Code section 51035), and the following City standards:
    - a. There shall be no employment of help outside the residents of the dwelling, except for one full time employee.
    - b. All food preparation in conjunction with a homemade food business must take place in the residence's existing kitchen.
    - c. Prior to granting of a city business license the applicant shall obtain a permit from the Tulare County Environmental Health Department. The City business license shall not be effective until that permit or approval is obtained, and shall automatically expire if the other required permit or approval expires, is disapproved or is revoked.

- d. A copy of the Tulare County Environmental Health Department permit to operate shall be provided to the city planning department within ten working days of the issuance of that permit or approval.
- B. Notwithstanding standards for Homemade Food Businesses, the following criteria shall apply for the evaluation of a home occupation:
1. There shall be no employment of help other than members of the resident family.
  2. There shall be no use of material or mechanical equipment not recognized as being part of normal household or hobby uses.
  3. There shall be no sales of products or services not produced on the premises.
  4. The use shall not generate vehicular or pedestrian traffic beyond that normal to the district in which it is located.
  5. The activity shall not involve the use of commercial vehicles for delivery or materials to or from the premises, other than one vehicle not to exceed one ton, owned by the operator of such home occupations.
  6. There shall be no excessive or unsightly storage of materials or supplies, indoor or outdoor, for purposes other than those permitted in the district.
  7. Any signage shall be consistent with the Chapter 17.47 (Signs and Advertising).
  8. Not more than one room in the dwelling shall be employed for the home occupation.
  9. In no way shall the appearance of the structure be so altered or the conduct of the occupation within the structure be such that the structure may be reasonably recognized as serving a non-residential use (either by color, materials or construction, lighting, signs, sounds or noises, vibrations, etc.).
  10. There shall be no use of utilities or community facilities beyond that normal to the use of the property for residential purposes as defined in the district.
- C. An applicant for a home occupation permits may appeal the decision of the Planning Director consistent with Chapter 17.7 (Appeals).

**17.41.030 Mixed Use Developments**

Mixed Use Developments are permitted in Farmersville's commercial zones subject to the following standards:

A. Development Standards

Mixed use developments are subject to Site Plan Review (consistent with the requirements of Chapter 17.51) and shall comply with the development standards of the underlying zone (concerning lot size and dimensions, setbacks, building height and coverage, etc.) except that residential development shall comply with density standards of the RM-1.5 zone (which allow a density up to one dwelling per 1,500 square feet of lot area) and also that projects may request a reduction of up to 50% in the number of parking spaces that are required for each distinct use on the site, as shown in Chapter 17.45 (Parking). Said request for a parking reduction shall be incorporated into the Site Plan Review application and is not subject to a Variance.

**17.41.40 Service Stations**

A. Locational criteria. All new service stations must have frontage on a road classified in the Farmersville Circulation Element as a collector or arterial road.

B. Site Design Criteria:

1. Pump islands shall be at least 18 feet from any street right-of-way. In addition, a landscape planter at least ten feet wide shall be located between a pump island and the street right-of-way.
2. Access driveways shall be a minimum width of 30 feet, and shall be no closer than 50 feet from the nearest curb line of any intersecting street.
3. All vehicle repair activities shall be entirely within a building or enclosed area.
4. A site plan for a service station shall include information to demonstrate proper maneuverability of fuel delivery vehicles onto and off of the site.

**17.41.050 Temporary Uses**

A. Purpose

The purpose of a temporary use permit is to provide for the short-term use of property and structures that are consistent with the purpose and objectives of this Ordinance.

B. Permitted Outdoor Uses—Up to Thirty Days.

1. Christmas tree, fireworks and other annual sales activities.
2. Farmers' markets.
3. Other promotional events such as carnivals and nonprofit fund-raising activities.

C. Permitted Outdoor Uses-Up to Ten Days.

1. Short-term sales such as sidewalk or parking lot sales carried on by and adjacent to an existing commercial business which is conducted within a building.
2. Temporary retail sales of products which are permitted for sale within the zoning district not covered in subdivision 1 of this section.
3. Parade related sales activities.
4. Religious gatherings, tent gatherings or other such events.

D. A temporary use permit signed by the planning director and the chief of police shall be required for all temporary outdoor uses.

E. Performance Standards. These apply to all temporary outdoor uses.

1. A business or other appropriate city license approved by the zoning administrator is required for all uses.
2. Written permission of the owner or operator of the property is required.
3. Site plan approval by planning director may be required.
4. All wares and goods are to be displayed in a neat and orderly fashion.

5. Sales areas are not to interfere with driveways, corner sight requirements or sidewalk traffic.
  6. Use of parking spaces for sales displays requires approval of the traffic engineer.
  7. All uses are to be fully cleaned up and removed by close of business on the last day approved license is valid.
  8. No consecutive licenses are to be issued for the same location.
  9. At least two thirty-gallon trash receptacles are to be provided.
- F. Additional Performance Standards.
1. Sign permit is required. Temporary signs may not exceed six square feet in area. One sign permitted per site.
  2. Hours of operation limited to eight a.m. to ten p.m.
  3. The zoning administrator is authorized to permit uses for any duration between one day and thirty days.
- G. Applicant and Fee

An application and fee for a temporary use permit shall be made to the Planning Department on a form prescribed by the Department. The application shall be accompanied by a fee set by resolution of the City Council.

H. Report and Findings

The Planning Director is authorized to review and approve temporary use permits subject to reviewing the following findings. The Director may add conditions to ensure consistency with the purpose and objectives of the Ordinance as well as the public health, safety and welfare, including the following:

1. That egress and ingress and off-street parking facilities are properly designed and adequate to serve the use.
2. That the site is adequate in size and location and has the proper accessibility to accommodate the use.
3. That there are adequate public services, including fire protection, water supply, wastewater disposal, and police protection to serve the use.

4. That upon termination of the use the site shall be restored to its original condition. All materials and equipment associated with the temporary use shall be removed.
6. That the applicants for a temporary use permit shall have all applicable licenses and permits.
7. That signage for the use be approved by the Planning Department.

I. Processing

Temporary use permits may be processed as an administrative matter by the Planning Director. Following a decision by the Director, an administrative agreement shall be prepared that outlines the findings and conditions on the temporary use permit.

**17.41.060 Caretaker facilities**

Where listed as a permitted use in a particular commercial or industrial zone, one permanent dwelling is allowed for purposes of housing a caretaker, subject to the following standards

- A. **Supplementary Statement.** The application shall include a statement with explanation of the need for caretaker quarters and the responsibilities of the caretaker/resident.
- B. **Status of Caretaker.** The resident of the dwelling shall be the owner or lessor, or an employee of the owner or lessor of the site.
- C. **Type of Use Requiring a Caretaker.** The principal use of the site must clearly require a caretaker for security purposes, or for care of people, plants, animals, equipment, or other conditions on the site.
- D. **Type of Dwelling Unit Allowed.** Caretaker residences shall be a standard site-built home, a modular home, or an apartment-type unit if the caretaker residence is to be integral with a principal structure.
- E. **Parking Requirement.** None, provided sufficient usable area is available to accommodate all resident vehicles on-site.

**17.41.070 Modular Structures**

The purpose of this section is to control the approval and location of all modular structures within the City of Farmersville and to ensure that the uses of said structures, which shall meet the use requirements, zoning standards and design guidelines of the district in which the property is located, will not have a detrimental effect on the appearance of Farmersville nor on surrounding properties. Regulation of modular structures is therefore deemed necessary to promote the public health, safety, and welfare of residents of the City of Farmersville.

A modular structure shall mean any designed, manufactured, remanufactured, used, or converted to a transportable building for use for commercial, office, or industrial purposes.

- A. A permanent modular structure shall be subject to Site Plan Review, consistent with Chapter 17.51 and the applicable zoning standards and design guidelines for that particular zone, and shall comply with the following special development standards:
  - 1. A permanent modular structure shall be placed on a permanent foundation.
  - 2. In addition to design guidelines that apply to the particular zone, a permanent modular structure shall be of an architectural style that is consistent with buildings in the surrounding neighborhood. The modular structure shall require skirting around the base of the structure.
  - 3. Permanent parking spaces and unloading zones shall be required consistent with Chapter 17.45 (Parking and Loading).
  - 4. Landscaping and irrigation shall be required consistent with Chapter 17.43 (Landscaping).
  - 5. The business or use conducted within the structure shall secure a business license from the City of Farmersville prior to being open to the public.
- B. A temporary modular structure shall be reviewed and may be approved by the Planning Director and shall comply with the development standards below. Construction management offices and model home offices shall be exempt from the time limitation standard.
  - 1. A temporary modular structure shall be removed from the subject property within 30 days, unless a longer period of time is requested and approved.

2. A temporary modular structure shall require aesthetic skirting around the base of the structure.
3. The business or use conducted within the structure shall secure a business license from the City of Farmersville prior to being open to the public.

**17.41.080 Recycling/Buyback Centers**

Recycling facilities may be permitted as set forth in Chapter 17.35 (Permitted Uses in Commercial Zones) and Chapter 17.37 (Permitted Uses in Industrial Zones).

A. Zones Permitted

Recycling facilities are classified into four categories, and permitted by zone district as shown in Table 41-1.

**Table 41-1: Recycling Facility Type by Zone**

<u>Type of Facility</u>	<u>Zone(s) Permitted</u>
Reverse vending machines	All commercial and industrial zones
Small collection facilities	All commercial and industrial zones except for the “CC” zone (Central Commercial)
Large collection facilities	“CS” zone and all industrial zones
Small processing facilities	“CS” zone and all industrial zones
Large processing facilities	All industrial zones

B. Criteria and standards.

1. All types of recycling facilities are subject to the following operating standards, in addition to those standards listed for the specific type, below.
  - a. The use shall employ containers that are constructed and maintained with durable waterproof and rustproof material, covered when site is not attended, secured from unauthorized entry or removal of material, and shall be of a capacity sufficient to accommodate materials collected and collection schedule;
  - b. Recycling containers shall be clearly marked to identify the type of material to be deposited, operating instructions, and the identity and phone number of the operator or responsible person to call if the machine is inoperative;

- c. The site shall be maintained free of litter and any other undesirable materials, and mobile facilities, at which truck or containers are removed at the end of each collection day, shall be swept at the end of each collection day;
- d. The business operation not exceed noise levels of sixty decibels as measured at the property line of residentially zoned or occupied property, otherwise shall not exceed seventy decibels;
- e. Containers for the twenty-four-hour donation of materials shall be at least thirty feet from any property zoned or occupied for residential use unless there is a recognized service corridor and acoustical shielding between the containers and the residential use;
- f. Setbacks and landscaping shall be those required for the zoning district in which the facility is located.
- g. On-site parking shall be provided for the use as listed in Chapter 17.45 (Parking and Loading).
- h. Signage shall be provided consistent with standards contained in Chapter 17.47 (Signs)

C. Types of Facilities and Specific Requirements

The ordinance establishes requirements for the following types of recycling facilities:

- 1. Reverse vending machines
- 2. Small Collection Facilities
- 3. Large Collection Facilities
- 4. Processing Facilities

D. The criteria and standards for specific recycling facilities are as follows:

- 1. **Reverse Vending Machine(s)** are an automated mechanical device which accepts at least one or more types of empty beverage containers including, but not limited to, aluminum cans, glass and plastic bottles, and issues a cash refund or a redeemable credit slip with a value not less than the container's redemption value as determined by the state. In addition to standards listed above under 17.43.010 B.1., Reverse Vending Machines are also subject to the following requirements:

Farmersville Zoning Ordinance  
Chapter 41: Special Uses

- a. Reverse vending machines must be established in conjunction with a commercial use or community service facility which is in compliance with the zoning, building and fire codes of the city;
  - b. Reverse vending machines must be located within thirty feet of the entrance to the commercial structure and shall not obstruct pedestrian or vehicular circulation;
  - c. Reverse vending machines shall not occupy parking spaces required by the primary use;
  - d. Reverse vending machines must shall occupy no more than fifty square feet of floor space per installation, including any protective enclosure, and shall be no more than eight feet in height;
  - e. Operating hours shall be at least the operating hours of the host use;
  - f. Reverse vending machines shall be illuminated to ensure comfortable and safe operation if operating hours are between dusk and dawn.
2. **Small Collection Facilities** may occupy an area of not more than five hundred square feet, and may include: 1. a mobile unit; 2. a Bulk reverse vending machines or a grouping of reverse vending machines occupying more than fifty square feet; 3. a Kiosk-type unit which may include permanent structures, or 4. unattended containers placed for the donation of recyclable materials. Small collection facilities are subject to the following standards and requirements:

Small collection facilities may be sited in commercial and industrial zones with an administrative permit provided they comply with the following conditions:

- a. Small collection facilities shall be established in conjunction with an existing commercial use or community service facility which is in compliance with the zoning, building and fire codes of the city;
- b. Small collection facilities shall be no larger than five hundred square feet and occupy no more than five parking spaces not including space that will be periodically needed for removal of materials or exchange of containers;

- c. Small collection facilities shall be set back at least ten feet from any street line and shall not obstruct pedestrian or vehicular circulation;
  - d. Small collection facilities shall accept only glass, metals, plastic containers, papers and reusable items. Used motor oil may be accepted with permission of the Tulare County Environmental Health Department;
  - e. Small collection facilities shall use no power-driven processing equipment except for reverse vending machines;
  - f. Small collection facilities shall store all recyclable material in containers or in the mobile unit vehicle, and shall not leave materials outside of containers when attendant is not present;
  - g. Attended facilities located within one hundred feet of a property zoned or occupied for residential use shall operate only during the hours between nine a.m. and seven p.m.;
  - h. Containers shall be clearly marked to identify the type of material which may be deposited; the facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation, and display a notice stating that no material shall be left outside the recycling enclosure or containers;
3. **Large Collection Facilities** are defined as a facility that is larger than five hundred square feet, or is on a separate property not appurtenant to a host use, and which may have a permanent building. A large collection facility is permitted in service commercial and industrial zones with a site plan development permit, provided the facility meets the following standards:
- i. The facility shall be screened from the public right- of-way by operating in an enclosed building or:
  - ii. The facility shall be within an area enclosed by a solid fence at least six feet in height with landscaping;
  - iii. The facility shall be at least one hundred fifty feet from property zoned or planned for residential use; and
  - iv. All exterior storage of material shall be in sturdy containers which are covered, secured, and maintained in good condition. Storage containers for flammable material shall be constructed of nonflammable material. Oil storage must be in containers approved

by the fire department and/or Tulare County Health Department. No storage, excluding truck trailers and overseas containers, will be visible above the height of the fencing.

- v. The site shall be maintained free of litter and any other undesirable materials, and will be cleaned of loose debris on a daily basis.
- vi. If the facility is located within five hundred feet of property zoned, planned or occupied for residential use, it shall not be in operation between seven p.m. and seven a.m.
- vii. Facility will be clearly marked with the name and phone number of the facility operator and the hours of operation. Identification and informational signs will meet the standards of the zone, and directional signs, bearing no advertising message, may be installed with the approval of the zoning administrator, if necessary, to facilitate traffic circulation, or if the facility is not visible from the public right-of-way.
- viii. Power-driven processing, including aluminum foil and can compacting, baling, plastic shredding, or other light processing activities necessary for efficient temporary storage and shipment of material, may be approved through a use permit process if noise and other conditions are met.

#### 4. Processing Facilities.

All processors are permitted only in industrial zones with a conditional use permit. A processor is a building or enclosed space used for the collection and processing of recyclable materials. "Processing" means the preparation of material for efficient shipment, or to an end-user's specifications, by such means as baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning, and remanufacturing. Further, "Processing facilities" include the following:

- a. A Light Processing Facility occupies an area of under forty-five thousand square feet of gross collection, processing and storage area and has up to an average of two outbound truck shipments per day. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source-separated recyclable materials and repairing of reusable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers.

- b. A heavy processing facility is any processing facility other than a light processing facility.
- c. All processing facilities are subject to the following conditions:
  - i. In the industrial zone, processors will operate in a wholly enclosed building except for incidental storage, or:
  - ii. The facility shall be located within an area enclosed on all sides by a solid fence or wall not less than eight feet in height and landscaped on all street frontages;
  - iii. The facility shall be located no less than one hundred fifty feet from property zoned or planned for residential use.
  - iv. Power-driven processing shall be permitted, provided all noise level requirements are met. Light processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source- separated recyclable materials and repairing of reusable materials.
  - v. A light processing facility shall be no larger than forty-five thousand square feet and shall have no more than an average of two outbound truck shipments of material per day and may not shred, compact or bale ferrous metals other than food and beverage containers.
  - vi. A processing facility may accept used motor oil for recycling from the generator in accordance with Section 25250.11 of the California Health and Safety Code.
  - vii. If the facility is located within five hundred feet of property zoned or planned for residential use, it shall not be in operation between seven p.m. and seven a.m. The facility will be administered by on-site personnel during the hours the facility is open.

## **5. Definitions**

- a. “Recyclable Material” means reusable material including but not limited to metals, glass, plastic and paper, which are intended for reuse, remanufacture, or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse or hazardous materials. Recyclable material may include used motor

oil collected and transported in accordance with Section 25250.11 and 25143.2(b) (4) of the California Health and Safety Code.

- b. “Recycling Collection Facility” shall mean a center for the acceptance by donation, redemption, or purchase, of recyclable materials from the public. Such facility shall not complete any processing except limited bailing, batching and the sorting of recyclable material and shall be classified as either a “small collection” or “large collection” facility.
- c. “Recycling Facility” shall mean a center for the collection and/or processing of recyclable materials. A certified recycling facility or certified processor means a recycling facility certified by the Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986. A recycling facility does not include storage containers or processing activity located on the premises of a residential, commercial or manufacturing use and used solely for the recycling of material generated by that residential property, business or manufacturer. Recycling facilities are either collection facilities or processing facilities.
- d. “Recycling Large Collection Facility” shall mean a collection facility which occupies an area of more than 200 square feet and may include a mobile unit, bulk reverse vending machine or a grouping of reverse vending machines, a kiosk type unit which may include a permanent structure, or an unattended container placed for the donation of recyclable materials.
- e. “Recycling Processing Facility” shall mean a building or enclosed space used for the collection and processing of recyclable materials. Processing means the preparation of material for efficient shipment, or to an end-user’s specifications, by such means as baling, briquetting, impacting, flattening, grinding, crushing, mechanical sorting, shredding, cleaning and remanufacturing.
- f. “Recycling Small Collection Facility” shall mean a collection facility which occupies an area of not more than 200 square feet, and may include a mobile unit, bulk reverse vending machine or a grouping of reverse vending machines, a kiosk type unit which may include a permanent structure, or an unattended container placed for the donation of recyclable materials.

**17.41.090 Accessory Dwelling Units and Junior Accessory Dwelling Units**

- A. Purpose and Intent.** This section is intended to meet the requirements of State law in providing for accessory dwelling units (“ADUs”) and junior accessory dwelling units (“JADUs”).
1. This Section is intended to comply with California Government Code sections 65852.2 and 65852.22, as either may be amended from time to time. The standards established by this Section shall be interpreted and applied consistent with the language set forth in Government Code sections 65852.2 and 65852.22. Further, to the extent that this Ordinance does not specifically address various requirements of the Government Code, the requirements of the Government Code shall apply.
  2. An ADU or JADU that complies with this Section shall be considered an accessory use or an accessory building.
  3. An ADU or JADU that complies with this Section shall be considered a residential use that is consistent with the existing General Plan and zoning for the lot.
  4. An ADU or JADU that complies with this Section shall not be considered in the application of any other local ordinance, policy, or program to limit residential growth.
  5. ADUs and JADUs shall be counted for purposes of identifying adequate sites for housing in the City’s Housing Element.
- B. Applications.** Other than “Exempt ADU’s” (defined in Subsection 17.41.090 M. (Definitions)) ADUs and JADUs shall conform to the following submittal requirements.
1. A scaled plot plan of the subject parcel on which the ADU or JADU will be located shall be provided. The plot plan shall indicate the location and separation distances between all existing and proposed structures, as well as setbacks from property lines. To the extent not included above, the plot plan shall also provide dimensions of all easements, right-of-way(s), building envelopes, fencing, parking, and paved areas.
  2. Complete floor plans of both existing and proposed conditions shall be provided. Each room shall be dimensioned and resulting floor area calculation included. The use of each room shall be labeled. The size and location of all doors, closets, walls, and cooking facilities shall be clearly depicted.

3. Provide elevations that show all proposed and existing exterior structure dimensions, all architectural projections, and all openings for both the existing residence and the proposed secondary dwelling unit. The secondary dwelling unit shall meet the following design standards:
  - a. A secondary dwelling unit shall have a roof pitch and roof overhang equal to the roof pitch and roof overhang of the primary residence.
  - b. The address and mailbox for the second dwelling unit shall be located near the public right-of-way.
  - c. These requirements do not apply to “Exempt ADU’s” (see Subsection 17.41.090 M. (Definitions)).
- C. **Designated Areas.** Subject to development standards established in this Section, ADUs and JADUs are permitted on any lot with an existing or proposed single-family use or multi-family use located in any residential or mixed use zone, unless the City makes express findings supported by substantial evidence that ADUs and JADUs cannot be permitted due to the inadequacy of water and/or sewer services, and/or the impact of ADUs and JADUs on traffic flow and/or public safety and designate specific areas based on these findings. ADUs and JADUs are subject to the normal requirements of the district (except that “Exempt ADU’s” (as defined in Subsection 17.41.090 M. (Definitions) are subject only to height and setback requirements specified in this Chapter).
- D. ADUs and JADUs are not permitted in nonresidential zoning districts where residential uses are not allowed.
- E. **Development Standards.** Fire and Building Code requirements are not considered “Development Standards” under this Ordinance. ADUs and JADUs may be permitted on any single-family lot or any multi-family lot. Except for State Exempt ADU’s (see Subsection 17.41.090 M. 3) the requirements and standards of the Zoning Ordinance that apply to the primary dwelling on the lot shall apply to any ADU and/or JADU, including lot coverage, height floor area ratio, open space, landscape, and architectural review,
  1. Number of units: Single Family Residential lots. For a single-family residential lot, except as noted in Subsection 17.41.090 E. 1. a. below, not more than three (3) dwelling units shall be permitted, which shall include not more than one (1) existing primary residence and may include not more than one (1) ADU (detached or attached) and not more than one (1) JADU.

- a. If the ADUs are both “Exempt ADUs” (consistent with Subsection 17.41.090 M. 3.), then a single-family parcel may contain up to two (2) Exempt ADUs and one (1) JADU, for a total of (4) dwelling units. To develop two (2) Exempt ADUs pursuant to this clause, one (1) Exempt ADU must be developed within existing space in a single-family dwelling or existing accessory structure, or within the proposed space of a single-family dwelling, and one (1) Exempt ADU must be detached, new construction.
1. Number of Units: Multi-Family Residential Lots: Lots with existing multifamily dwellings may construct up to eight (8) detached ADUs (not to exceed the total number of existing multi-family units on the lot), and ADUs up to 25 percent of the number of existing multifamily dwelling units where the ADU is constructed in non-livable space (e.g., storage rooms, boiler rooms, passageways, attics, basements, or garages). There are no JADUs allowed on lots with existing multifamily dwellings.
  2. Relation to Primary Dwelling. The ADU must be either: (1) attached to, or located within, the existing primary dwelling, including attached garages, storage areas, or similar uses within the primary dwelling structure; or (2) detached from the existing primary dwelling and located on the same lot as the existing primary dwelling. Except as provided in Government Code Section 65852.2(e), a JADU must be contained entirely within the walls of the existing single-family residence.
  3. ADUs and JADUs are not subject to the density limitations for the premises.
  4. Setbacks and Separation Distances.
    - a. Setbacks shall be defined as the distances between a structure and a property line or easement.
    - b. Separation Distances shall be defined as the distance between structures, and/or other improvements.
    - c. No setback or separation distance is required for an ADU constructed or installed within (1) an existing living area or permitted accessory structure, or (2) a structure constructed in the same location and to the same dimensions as an existing permitted accessory structure that is converted to an ADU or to a portion of an ADU.

- d. A minimum setback of four (4) feet from the side and rear lot lines is required for an ADU that is not (1) converted from an existing permitted accessory structure, or (2) a new structure constructed in the same location and to the same dimensions as an existing permitted accessory structure. However, on a lot zoned for single family residential use, if a proposed ADU is less than 800 square feet, a front setback requirement in other areas of this Code cannot prevent the ADU front being built. This front setback exemption also applies for “Exempt ADU’s” as defined in Subsection 17.41.090 M (Definitions) built on lots zoned for multi-family residential use.
  - e. State Law does not address the distance between and ADU and other structures on a lot. In the event that an ADU is not consistent with (c) (1) or (c) (2) above, ADU or JADU proposals with Separation Distances of less than ten feet shall comply with building codes regarding safe fire separation distances.
5. ADU Unit Size.
- a. If there is an existing primary dwelling, the total floor area of an attached ADU may not exceed 50 percent of the floor area of the existing primary dwelling.
    - i. The total floor area for a detached ADU may not exceed 1,200 square feet.subject to the following standards:
    - ii. An attached or detached one-bedroom ADU may not be more than 800 square feet of living area.
    - iii. An attached or detached ADU that provides more than one (1) bedroom may not be more than 1,000 square feet of living area.
    - iv. The size limits prescribed above do not apply to specified “Exempt ADU’s” as defined in Subsection 17.41.090 M. (Definitions) as follows:
      - (a) Conversion of a portion of an existing structure (including an existing primary dwelling unit) on a single-family residential parcel.
      - (b) Construction of detached ADU’s on multi-family residential parcels, provided the ADU’s comply with specified height and setback requirements.

- (c) Construction of ADU's converted from space within existing multi-family buildings.
    - v. An ADU may be an efficiency unit, as defined. A proposed ADU that does not meet the minimum requirements of an efficiency unit is not permitted.
- 6. JADU Size.
  - a. A JADU may not be more than 500 square feet in size.
- 7. Exceptions.
  - a. Notwithstanding any other minimum or maximum size for an ADU, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, or minimum lot size, an attached or detached ADU will be permitted if the ADU is:
    - i. Not more than 800 square feet of total floor area;
    - ii. Not more than 16 feet in height (any circumstance);
    - iii. Not more than 25 feet in height if the ADU is attached to the primary dwelling, or it can be the same height as the primary dwelling, whichever is lower;
    - iv. Has at least 4-foot side and rear yard setbacks; and
    - v. Is constructed in compliance with all Fire and Building Code requirements and standards of the Zoning Code (including consideration of separation distances).
- 8. ADU Building Standards.
  - a. The ADU height requirements are as follows:
    - i. 16 feet- allowed under any circumstance.
    - ii. 18 feet- allowed if the proposed ADU is within ½ a mile of public transit or the property already has a multi-family dwelling two stories high.

Farmersville Zoning Ordinance  
Chapter 41: Special Uses

- iii. 25 feet- allowed if the ADU is attached to the primary dwelling depending on the underlying zoning code of the property (the lowest height allowance will apply).
  - b. The development of the ADU shall be subject to the property development standards for the zoning district in which the ADU is located (except for “Exempt ADU’s” ((as defined in Subsection 17.41.090 M. (Definitions))) which are exempt from base zoning standards.
  - d. Both attached and detached ADUs must be architecturally compatible, having similar materials and style of construction, with the primary dwelling and consistent with the established character of the adjoining residential neighborhood. These requirements do not apply to “Exempt ADU’s” (see Subsection 17.41.090 M. (Definitions).
  - c. Attached ADU’s shall be compatible with and made structurally a part of the primary dwelling (e.g., share a common wall with the primary dwelling, rely partially on the primary dwelling for structural support, or be attached to the primary dwelling).
  - d. Detached ADUs shall comply with building and fire code separation standards
  - e. ADU’s shall be compatible with the materials and colors of the primary dwelling. This requirement does not apply to “Exempt ADU’s” (see Subsection 17.41.090 M. (Definitions).
  - e. No passageway is required in conjunction with the construction of an ADU.
  - f. A new utility connection directly between the ADU and the existing single-family home is not required.
9. JADU Building Standards. JADUs shall comply with the following:
- a. A JADU must include a separate entrance from the main entrance to the existing single-family residence.
  - b. A JADU must include at least an efficiency kitchen, which includes a cooking facility with appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU.

- c. A JADU may include separate sanitation facilities or may share sanitation facilities with the existing structure.
  - d. A JADU shall not be considered a separate or new dwelling unit for purposes of any fire or life protection ordinance or regulation, or for purposes of providing water, sewer, or power, including a connection fee.
  - e. Deed Restriction. A JADU shall not be permitted unless a deed restriction, which shall run with the land, is recorded for the applicable lot, and filed with the City along with the permit application, and must do both of the following:
    - i. Prohibit the sale of the JADU separate from the sale of the single-family residence.
    - ii. For a JADU without its own bathroom, prohibit the occupancy of the JADU unless the primary dwelling is occupied by the property owner.
10. Multi-family ADUs. The following ADUs are permitted within a residential or mixed-use zone on a lot that has an existing multi-family dwelling:
- a. For detached ADU's up to eight (8) units, not to exceed the number of existing multi-family units. For ADU's that are constructed within the portions of the existing multifamily dwelling structure (that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings) a number of ADU's up to 25 percent of the existing multifamily dwelling units is permitted.
  - b. Attached ADU's are subject to a height limit of 18 feet and 4-foot rear yard and side yard setbacks.

**F. Connection, Impact, and other Fees.** Except as provided below. ADUs and JADUs are subject to all fees and assessments required by the Farmersville Municipal Code for new residential construction.

- 1. Any impact fees charged for an ADU or JADU of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit. ADU's and JADU's containing less than 750 square feet are exempt from impact fees.

2. An inspection fee shall be assessed for any inspection to determine if an ADU or JADU complies with applicable building standards.
3. The separate utility connection for an ADU constructed with a new single-family home or new detached structure is subject to a connection fee or capacity charge proportionate to the burden of the proposed ADU, based upon either its square feet or the number of its drainage fixture unit (DFU) values upon the water or sewer system, that reflects the reasonable cost of providing this service.

**G. Occupancy and Ownership.** ADUs and JADUs must comply with the following standards.

1. A certificate of occupancy must be issued for the primary dwelling unit before a certificate of occupancy can be issued for an ADU or JADU on the lot.
2. An ADU or JADU may be rented separate from the primary residence. ADU's and JADU's but may not be sold or otherwise conveyed separate from the primary residence, except as permitted in Government Code Sections 66340-66342.
3. Beginning January 1, 2025, owner occupancy shall be required for all JADU permits. For a JADU permit, the owner may reside in either the remaining portion of the primary unit, or the newly created JADU. Owner occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

**H. Parking Standards.**

Except for "Exempt ADU's" (see definition in Subsection 17.41.090 M. (Definitions), one (1) parking space per ADU is required, unless the newly constructed ADU is located within one-half mile walking distance of a public transit center. These spaces may be provided in setback areas or as tandem parking on a driveway. Exempt ADU's are not required to provide on-site parking.

- I. Permit Approval.** A permit must be obtained for the construction or installation of an ADU or JADU. The ADU or JADU must conform to the standards required by the Zoning Ordinance and the California Fire and Building Codes. A permit application for an ADU or a JADU shall be considered and approved ministerially without discretionary review or a hearing. The City shall approve or deny the application to create an ADU or a JADU within 60 days from the date the City receives a completed application if there is an existing single-family or multi-family dwelling on the lot.

**J. ADUs and Regional Housing Needs Assessment.** Subdivisions and multi-family housing developments developed or zoned at densities of ten (10) or more dwelling units per acre, with the ability of each lot or dwelling to construct an ADU, shall be counted in the City’s Housing Element as adequate sites for affordable housing, as provided in Government Code section 65583.1(a).

**K. Demolition Permits.** A demolition permit for a detached garage that is to be replaced with an accessory dwelling unit be reviewed with the application for the accessory dwelling unit and issued at the same time. An applicant shall not be otherwise required, to provide written notice or post a placard for the demolition of a detached garage that is to be replaced with an accessory dwelling unit, unless the property is located within an architecturally and historically significant historic district.

**L. Other.** Nothing in this section shall be construed to prohibit the City from adopting an ordinance or regulation, related to parking or a service or a connection fee for water, sewer, or power, that applies to a single-family residence that contains an ADU or JADU, so long as that ordinance or regulation applies uniformly to all single-family residences, regardless of whether the single-family residence includes an ADU or JADU.

**M. Definitions**

1. “Accessory dwelling unit” or “ADU” means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An ADU must include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel that the single-family or multi-family dwelling is situated. An ADU may be an efficiency unit or a manufactured home.
2. “Efficiency unit” has the same meaning as defined in the California Building Code, California Code of Regulations, Title 24, Section 1207.4, which meets the following standards:
  - a. The unit has a single living room of not less than 220 square feet of floor area for two (2) or fewer occupants and an additional 100 square feet of floor area for each additional occupant of the unit.
  - b. The unit has a separate closet.
  - c. The unit has a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches in front, and lighting and ventilation conforming to the California Building Standards Code.

- d. The unit has a separate bathroom containing a water closet, lavatory, and bathtub, or shower.
3. “Exempt ADU” means an ADU that is regulated by Section 66323 of the California Government Code. Key standards include:
- a. Under Government Code Section 66323, one Accessory Dwelling Unit (ADU) and one Junior Accessory Dwelling Unit (JADU) are permitted per lot with a proposed or existing single-family dwelling if all of the following apply:
    - i. The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.
    - ii. The space has exterior access from the proposed or existing single-family dwelling.
    - iii. The side and rear setbacks are sufficient for fire and safety.
    - iv. The Junior Accessory Dwelling Unit (JADU) complies with the requirements of Article 3 of the California Government Code (commencing with Section 66333).
  - b. One detached, new construction, Accessory Dwelling Unit (ADU) that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subsection “a”. The following conditions apply to the detached ADU:
    - i. Total floor area limitation shall not exceed 800 square feet.
    - ii. A height limitation as follows:
      - (i) A height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family dwelling unit.

- (ii) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the California Public Resources Code. An additional two feet in height is permitted to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
  - (iii) A height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling.
- c. Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.
- d. The City shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.
- e. Multiple accessory dwelling units, not to exceed the number specified in clause (f) or (g) below, that are located on a lot that has an existing or proposed multifamily dwelling but are detached from that multifamily dwelling and are subject to a height limitation in subsections 3. b. ii. (i),(ii) or (iii) above, as applicable, and rear yard and side setbacks of no more than four feet.
- f. On a lot with an existing multifamily dwelling, not more than eight detached accessory dwelling units. However, the number of accessory dwelling units allowable pursuant to this clause shall not exceed the number of existing units on the lot.
- g. On a lot with a proposed multifamily dwelling, not more than two detached accessory dwelling units.
- h. If the existing multifamily dwelling has a rear or side setback of less than four feet, the City shall not require any modification of the existing multifamily dwelling as a condition of approving the application to construct an accessory dwelling unit that satisfies the requirements of this paragraph.

- i. The City shall not impose any objective development or design standard that is not authorized by this section.
  - j. The City shall not require, as a condition for ministerial approval of an Exempt ADU permit application (for the creation of an accessory dwelling unit or a junior accessory dwelling unit) the correction of nonconforming zoning conditions.
  - k. The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing multifamily dwelling.
  - l. The City shall require that a rental of the accessory dwelling unit created pursuant to this section be for a term longer than 30 days.
4. “Floor area” or “total floor area” means the entire ground-level square footage of the structure, including the living area, as defined, and any non-habitable area within the structure, such as a garage or storage space.
  5. “Impact fee” has the same meaning as the term “fee” as defined in Government Code Section 66000(b), except that it also includes fees specified in Government Code Section 66477. “Impact fee” does not include any connection fee or capacity charge.
  6. “Junior accessory dwelling unit” or “JADU” means a dwelling unit that is no more than 500 square feet in size and contained entirely within the walls of an existing single-family residence, or other approved structure as specified in Government Code Section 65852.2(e). A JADU must include the following features:
    - a. Exterior access separate from the main entrance to the proposed or existing primary dwelling or other structure.
    - b. An efficiency kitchen, which includes a cooking facility with a sink and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU.
    - c. JADU may include separate sanitation facilities or may share sanitation facilities with the existing structure.

7. “Living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
8. “Multi-generational dwelling unit” means a dwelling unit, that does not include a kitchen, contained entirely within the walls of an existing single-family residence where access is not restricted between areas of the residence.
9. “Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards but was a lawful improvement that did conform to the zoning standards in place at the time of the improvement.
10. “Passageway” means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.
11. “Permanent provisions for cooking” has the same meaning as “kitchen”.
12. “Permanent provisions for sanitation” and “sanitation facilities” means a separate bathroom containing a water closet, lavatory, and bathtub or shower.
13. “Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
14. “Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
15. “Tandem parking” means that two (2) or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

#### **17.41.100 Wireless Telecommunication Equipment**

The purpose of this section is to provide uniform standards for the desired design, placement, permitting, and monitoring of telecommunication facilities consistent with applicable federal requirements. The standards are intended to address adverse visual impacts and operational effects of these facilities through appropriate design, siting, screening techniques and locational standards while providing for the communication needs of residents, local businesses, and government agencies.

Wireless telecommunication facilities include residential and commercial TV antennae and satellite antennae; public safety facilities; telecommunication facilities accessory to public equipment for data acquisition such as irrigation controls; well monitoring and traffic signal controls, telecommunication facilities erected for emergency situations and/or public information coverage with a duration of less than seven days; satellite Earth Station facilities not exceeding two meters in diameter or in diagonal measurement and television and AM/FM radio antennae for commercial purposes, and monopoles and lattice towers for cellular phones and similar devices.

The following location criteria and development standards shall apply to all wireless telecommunications equipment.

- A. With the exception of monopole and lattice tower facilities, all wireless telecommunication equipment listed above shall be permitted uses in all of Farmersville's zone districts.
- B. Monopoles and lattice tower facilities are classified as permitted subject to a Conditional Use Permit in the C-3, M-1, M-2, G and UR zones. These facilities shall be prohibited in all other zones.
- C. Monopoles and lattice towers shall be located on the rear half of the parcel, unless aesthetic benefits are achieved through an alternative location or stealth design techniques can be employed.
- D. Monopoles and lattice towers shall not be permitted within 1,000 feet of an existing tower.
- E. Consideration shall be given to the use of "stealth" facilities in place of utilitarian monopoles and lattice towers. Examples of stealth facilities include towers disguised as trees, flag poles, or mounted on existing facilities, such as water towers, steeples, etc.

#### Definitions

- A. "Cellular" shall mean an analog or digital wireless telecommunications technology that is based on a system of interconnected neighboring cell sites.
- B. "Co-Location" shall mean the location of two or more wireless communication facilities on a single support structure. Co-location shall also include the location of wireless communication facilities with other facilities, including water tanks, light standards, and buildings.
- C. "Communication Tower" shall mean any structure which is used to transmit or receive electromagnetic radio frequency waves or that supports such a device.

- D. “COW” shall mean a “cell on wheels,” which is a wireless telecommunications facility temporarily rolled in or temporarily installed.
- E. “Monopole” shall mean a structure composed of a pole or tower used to support antennas or related equipment. A monopole also includes a monopine, monopalm and similar monopoles camouflaged to resemble faux trees or other faux objects attached on a monopole (e.g. water tower).
- F. “Slimline Monopole” shall mean a single, slim antenna pole not exceeding 1.5 feet in diameter at the base of the antenna or pole and one foot in diameter at the top of the antenna or pole.
- G. “Telecommunications tower” shall mean a freestanding mast, pole, monopole, guyed tower, lattice tower, free standing tower or other structure designed and primarily used to support wireless telecommunications facility antennas.
- H. “Wireless telecommunications facility,” “facility” or “facilities” shall mean any facility that transmits and/or receives electromagnetic waves. It includes, but is not limited to, antennas and/or other types of equipment for the transmission or receipt of such signals, telecommunications towers or similar structures supporting such equipment, related accessory equipment, equipment buildings, parking areas, and other accessory development. The term “wireless telecommunications facility” does not apply to the following:
1. Emergency medical care provider-owned and operated telecommunications facilities.
  2. Mobile services providing public information coverage of news events of a temporary nature.
  3. Any wireless telecommunications facilities exempted from this Code by federal law or state law.
- I. “Wireless telecommunications services” shall mean the provision of services using a wireless telecommunications facility or a wireless telecommunications collocation facility, and shall include, but not limited to, the following services: personal wireless services as defined in the federal Telecommunications Act of 1996 at 47 U.S.C. §332(c)(7)(C) or its successor statute, cellular service, personal communication service, and/or data radio telecommunications.

**17.41.110 Adult-Oriented Businesses**

A. Purpose and Intent

1. It is the purpose and intent of this Ordinance to regulate sexually oriented businesses to promote the health, safety, morals, and general welfare of the citizens of Farmersville and to establish reasonable and uniform regulations to prevent any deleterious location and concentration of sexually oriented businesses within the City, thereby reducing or eliminating the adverse secondary effects from such sexually oriented businesses. The provisions of this ordinance have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor effect of this ordinance to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of the ordinance to condone or legitimize the distribution of obscene material.
2. One of the important purposes of the regulations set forth in this Chapter is to discourage and to minimize the opportunity for criminal conduct. As such, nothing in this Chapter shall permit or be interpreted to permit any use, conduct, and/or activity which is specifically prohibited under the following California Penal Code sections:
  - a. Receipt of money for placement of persons for purposes of cohabitation (Penal Code 266d);
  - b. Purchase of persons for purposes of prostitution or placement of persons for immoral purposes (Penal Code 266e);
  - c. Sale of persons for immoral purposes (Penal Code 266f);
  - d. Pimping (Penal Code 266h);
  - e. Pandering (Penal Code 266i);
  - f. Lewd or obscene conduct (Penal Code 314);
  - g. Houses of ill-fame (Penal Code 315);
  - h. Disorderly houses which disturb the immediate neighborhood (Penal Code 316);

- i. Places of prostitution (Penal Code 317);
  - j. Place of prostitution; place of lewdness; place used as bathhouse permitting conduct capable of transmitting AIDS (Penal Code 11225).
3. "Nothing in this Chapter shall be interpreted to permit or permit any use, conduct, and/or activity which violates any federal, state or local law of regulation."

B. Establishment and Classification of Businesses Regulated

The establishment of any sexually oriented business shall be permitted only in the zone district permitted, and shall be subject to the following restrictions: No person shall cause or permit the establishment of any sexually oriented businesses, as defined above, within 1000 feet of any sensitive land use, including schools (public and private) day care facilities, parks and playgrounds, libraries and churches. These limitations apply to sexually oriented businesses classified as follows:

1. Adult arcade
2. Adult bookstore, adult novelty store, or adult video store
3. Adult cabaret
4. Adult motel
5. Adult motion picture theater
6. Adult theater
7. Nude model studio.

C. Measurement of Distance

The distance between any sexually oriented business and any sensitive land use shall be measured in a straight line, without regard to intervening structures or objects from property line to property line.

D. Location of Sexually Oriented Business

The City of Farmersville's Zoning Ordinance requires that sexually oriented businesses shall be allowed only in a zone where such uses are specifically permitted -- the "I" (Industrial) zone, at the time of adoption of this ordinance. Permits for sexually oriented

businesses shall be required and governed by the procedures and policies specified in the City of Farmersville Municipal Code. In addition, any sexually oriented business shall be subject to the following restrictions:

1. A person commits a misdemeanor, if he operates or causes to be operated, a sexually oriented business outside of the permitted zone.
2. A person commits a misdemeanor if he operates or causes to be operated a sexually oriented business within 1,000 feet of any sensitive land use, as defined above.

E. Non-Conforming Uses

1. Any sexually oriented businesses operating on (effective date of this Ordinance) that is in violation of Section 25-41.11 e. shall be deemed a non-conforming use. A non-conforming use will be permitted to continue for a two (2) year period with possible extensions for extenuating circumstances to be granted by the City Council only upon a convincing showing of extreme financial hardship. Such extensions shall not exceed a total of three (3) years in addition to the initial amortization period. Any such non-conforming business loses its right to operate as a non-conforming use, if, for any reason, it voluntarily discontinues its business operation for a period of thirty (30) days or more or if its license to operate is revoked, and such revocation is not overturned by a court of competent jurisdiction. Such non-conforming uses, while non-conforming, shall not be increased, enlarged, extended or altered except that the use may be changed to a conforming use.
2. A sexually oriented business lawfully operating as a conforming use is not rendered a non-conforming use by the location, subsequent to the grant or renewal of the sexually oriented business permit and/or license, within 1000 feet, of a sensitive land use. This provision applies only to the renewal of a valid permit and/or license, but this provision does not apply when an application for a permit and/or license is submitted after a permit and/or license has expired or has been revoked.
3. Abandonment. Notwithstanding the above, any discontinuance or abandonment of the use of any lot or structure as an Adult-Oriented Business shall result in a loss of legal nonconforming status of such use.
4. Amortization -- annexed property. Any Adult-Oriented Business which was a legal use at the time of annexation of the property and which is located in the City, but which does not conform to the provisions of Section 25-41.11 e. shall be terminated within two (2) years of the date of

annexation unless an extension of time has been approved by the City Council in accordance with the provisions of Section 25-41.11 f. 1.

F. Injunction

A person who operates or causes to be operated a sexually oriented business without having a valid permit due to location restrictions is subject to a suit for injunction as well as prosecution for the misdemeanor punishable by a fine of \$1,000.00 and/or one hundred eighty (180) days imprisonment, or by both such fine and imprisonment. If an injunction is sought and granted, the sexually oriented business shall be obligated to pay the City, attorneys' fees and costs of the City, at the discretion of the Court.

G. Exception for Certain Nude Modeling

It is a defense to prosecution under this ordinance if a person appearing in a state of nudity did so in a modeling class operated:

1. By a proprietary school, licensed by the State of California; a college, junior college, or university supported entirely or partly by taxation;
2. By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or
3. In a structure:
  - a. Which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing; and
  - b. Where, in order to participate in a class a student must enroll at least three (3) days in advance of the class; and
  - c. Where no more than one nude model is on the premises at any one time.

H. Definitions

3. "Employee" means a person who works or performs in and/or for a sexually oriented business, regardless of whether or not said person is paid a salary, wage or other compensation by the operation of said business. This definition pertains to "Sexually Oriented Businesses".
4. "Establishment" means and includes any of the following: (this definition pertains to "Sexually Oriented Businesses".

Farmersville Zoning Ordinance  
Chapter 41: Special Uses

- a. The opening or commencement of any such business as a new business;
  - b. The conversion of an existing business, whether or not a sexually oriented business, to any of the sexually oriented businesses defined in this chapter;
  - c. The addition of a any of the sexually oriented businesses defined in this chapter to any other existing sexually oriented business; or
  - d. The relocation of any such sexually oriented business; or
  - e. The substantial enlargement of any such sexually oriented business.
5. "Nudity or State of Nudity" means: (a) the appearance or display of human bare buttock, anus, male genitals, female genitals, or the areola or nipple of the female breast; or (b) a state of dress which fails to opaquely and fully cover a human buttock, anus, male or female genitals, pubic region or areola or nipple of the female breast.
  4. "Operator" means and includes the owner, permit holder, custodian manager, operator or person in charge of any permitted or licensed premises. This definition pertains to "Sexually Oriented Businesses".
  5. "Permitted or "Unlicensed Premises" means any premises that requires a license and/or permit that is classified as a sexually oriented business.
  6. "Permittee and/or Licensee" means a person in whose name a permit and/or license to operate a sexually oriented business has been issued, as well as the individual listed as an applicant on the application for a permit and/or license.
  7. "Person" shall mean any individual, firm, co-partnership, corporation, company, association, joint stock association, city, county, or district, and includes any trustee, receiver, assignee, or other similar representative thereof. This definition pertains to "Sexually Oriented Businesses".
  8. "Public Building Regularly Frequented By Children" means any building owned, leased or held by the United States, the state, the county, the city, any special district, school district, or any other agency or political subdivision of the state or the United States, which building is used as a library, community center, children's center, or any other use having special attraction to children, or which building is often visited by children

for social activities unaccompanied by their parents or other adult custodian This definition pertains to “Sexually Oriented Businesses”.

9. "Public Park" or "Recreation Area" means public land which has been designated for park or recreational activities including, but not limited to a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, open space wilderness areas, or similar public land within the city which is under the control, operation, or management of the city park and recreation authorities. This definition pertains to “Sexually Oriented Businesses”.
10. "Religious Institution" means any church, synagogue, mosque, temple or building which is primarily for religious worship and related religious activities.
  - a. "Adult arcade" means an establishment where, for any form of consideration, one or more still or motion picture projectors, slide projectors, or similar machines, or other image producing machines, for viewing by five or fewer persons each, are regularly available or used to show films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."
  - b. "Adult Bookstore", "Adult Novelty Store" or "Adult Video Store" means a commercial establishment which (1) has as a significant or substantial portion of its stock-in-trade or (2) derives a significant or substantial portion of its revenues or (3) devotes a significant or substantial portion of its interior floor or display space or (4) devotes a significant or substantial portion of its business activities or employees' time, or advertising, to the sale, rental or viewing for any for any form of consideration, of any one or more of the following:
    - i. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, or other visual representations which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas";
    - ii. Instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities."
    - iii. An establishment may have other significant or substantial business purposes that do not involve the offering for sale,

rental or viewing of materials, depicting or describing "specified sexual activities" or "specified anatomical areas", and still be categorized as adult bookstore, adult novelty store, or adult video store. Such other business purposes will not serve to exempt such establishments from being categorized as an adult bookstore, adult novelty store or adult video store so long as one of its significant or substantial business purposes is offering for sale or rental, for some form of consideration, the specified materials which depict or describe "specified anatomical areas" or "specified sexual activities."

- c. "Adult cabaret" means a nightclub, bar, restaurant, "bottle club", or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features: (a) persons who appear nude or in a state of nudity or semi-nude; (b) live performances which are characterized by the exposure of "specified anatomical areas", or by "specified sexual activities", or (c) films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."
- d. "Adult motel" means a motel, hotel or similar commercial establishment which: (a) offers public accommodations, for any form of consideration, and which regularly provides or makes available to patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas" and which advertises the availability of this sexually oriented type of material by means of a sign visible from the public right-of-way, or by means of any off-premises advertising including, but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television, or (b) offers a sleeping room for rent for a period of time less than ten (10) hours; or (c) allows a tenant or occupant to rent or sub-rent the sleeping room for a time period of less than ten (10) hours.
- e. "Adult motion picture theater" means a commercial establishment where films, motion pictures, video cassettes, slides or similar photographic reproductions depicting or describing "specified sexual activities" or "specified anatomical areas" are regularly shown for any form of consideration.

Farmersville Zoning Ordinance  
Chapter 41: Special Uses

- f. "Adult theater" means a theater, concert hall, auditorium, or similar commercial establishment which, for any form or consideration, regularly features persons who appear in a state of nudity or live performances which are characterized by exposure of "specified anatomical areas" or by "specified sexual activities."
- g. "Nude Model Studio" means any place where a person, who appears in a state of nudity or displays "specified anatomical areas" is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons. This term does not include a modeling class operated by a proprietary school, licensed by the State of California; a college, junior college, or university supported entirely or partly by taxation; by a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or in a structure which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing, where in order to participate in a class a student must enroll at least three (3) days in advance of the class, and where no more than one nude model is on the premises at any one time.
- h. "Regularly Features or Regularly Shown" with respect to an adult cabaret, adult theater, or adult motion picture theater means at least three (3) times within any thirty (30) day period; or carried on as part of the business's routine scheduling of events or activities and not so infrequently as to constitute a single, rare or unusual event or occurrence.
- i. "Significant or Substantial Portion" means such a percentage of its activities, space allocation, revenues, advertising targeting, stock in trade, floor or display space, business receipts, revenues, or other business undertakings as to indicate to a reasonable person that a sexually oriented portion of the business is one of its important activities, though not necessarily its only or even primary activity; for this purpose, evidence that 25% or more of its revenues are derived from such sexually oriented activities or materials, or that 25% or more of its interior floor space or display space is devoted to such sexually oriented activities or materials, or that 25% or more of its actual stock in trade regularly displayed and immediately available for use, rental, purchase, viewing or perusal is comprised of such sexually oriented materials, all as defined in Section 17.65.02 of this Chapter, Definitions, shall be evidence

that a "significant or substantial portion" of the business is devoted to such uses.

- j. "Specified Anatomical Areas" as used in this Chapter means and includes any of the following:
  - i. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areolae; or
  - ii. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
- k. "Specified Sexual Activities" as used in this Chapter, means and includes any of the following
  - i. The fondling or other intentional touching of buttocks for purpose of sexual arousal, or fondling or other intentional touching of human genitals, pubic region, anus, or female breasts.
  - ii. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
  - iii. Masturbation, actual or simulated;
  - iv. Human genitals in a state of sexual stimulation, arousal or tumescence;
  - v. Excretory functions as part of or in connection with any of the activities set forth in sub-sections a through d of this subsection.
- l. "Substantial Enlargement of a Sexually Oriented Business" means an increase in the floor areas occupied by the business as the floor areas existed on the affected date of this ordinance.
- m. "Transfer of Ownership or Control of a Sexually Oriented Business" means and includes any of the following:
  - i. The sale, lease or sublease of the business; or
  - ii. The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange or similar means.

**17.41.120 Outdoor Storage Yards**

Outdoor storage yards, excluding the storage of vehicles in a day use parking lot or garage, are subject to the provisions of this section. The storage of vehicles in a public or commercial parking lot or garage is subject to Section 17.45 (Parking and Loading).

A. Site Design Standards.

1. Access. There shall be only one (1) access point to a storage yard for each three hundred (300) feet of street frontage. Such access point is to be a maximum width of twenty (20) feet and shall be provided with a solid gate or door.
2. Screening. A storage yard, except a temporary offsite construction yard, is to be screened from public view on all sides by solid wood, painted metal or masonry fencing, or chain link fencing with vinyl slats or other screening mechanism, with a minimum height of six (6) feet. All required screening shall be continuously maintained in good condition to assure that its intended purpose is accomplished.
4. Parking Requirement. None, provided that sufficient usable area is available to accommodate all employee and user parking needs entirely on-site.
5. Site Surfacing. A storage yard shall be surfaced with concrete, asphalt paving, crushed rock, or oiled earth, and be maintained in a dust-free condition.
6. Office Facilities. When no buildings exist or are proposed on a storage yard site, one (1) commercial coach may be utilized for an office, provided that such vehicle is equipped with skirting, and installed pursuant to the permit requirements of the Uniform Building Code.
7. Operation. Except for vehicles or freestanding equipment, materials within a storage yard are not to be stacked or stored higher than six (6) feet, unless a higher wall or fence is constructed at the required setback line under an approved building permit.

**17.41.130 Marijuana cultivation, manufacturing, testing, transportation and distribution**

**A. Authority and Title.**

Pursuant to the authority granted by Article XI, section 7 of the California Constitution, Health and Safety Code § 11362.2(b)(1), and Government Code § 38773.5, the City Council does enact this Chapter, which shall be known and may be cited as the “Cannabis Ordinance.”

**B. Effect of Headings/Titles Within this Chapter**

Section and subsection headings and title are provided for organizational purposes only and must not be read to in any manner affect the scope, meaning or intent of the provisions associated with them.

**C. Nuisance Declared.**

1. Unless and until this subsection is specifically cited as repealed, notwithstanding any other ordinance of the City, each and all of the following activities are hereby declared to be a public nuisance and unlawful when the same occur in violation of any of the provisions of this Chapter or any State law, and any such public nuisance may be abated by the City in any manner allowed by any State law or local ordinance:
  - a. The operation of any indoor and/or outdoor cannabis cultivation site upon any parcel of real property within the City which does not have an active registration with the City.
  - b. The operation of any cannabis business upon any parcel of real property within the City which does not have an active registration with the City.
2. Prohibited Cannabis Business and Non-Business Activities: Unless and until this subsection is specifically cited as repealed, notwithstanding any other ordinance of the City, each of the following shall be prohibited everywhere within the City and shall constitute a public nuisance:
  - a. Outdoor Cultivation: All outdoor possession, planting, cultivation, harvesting, drying or processing of cannabis and industrial hemp, including any such activities with non-commercial cannabis upon any private residence under California Health and Safety Code § 11362.1.

Farmersville Zoning Ordinance  
Chapter 41: Special Uses

- c. Non-Commercial Cultivation: The operation of any indoor and outdoor cannabis cultivation site upon any parcel of real property within the City without a valid State license therefor issued under Division 10 of the California Business and Professions Code, excluding non-commercial cannabis cultivation under Health and Safety Code § 11362.1 occurring while in full compliance with all applicable provisions of this Chapter, the Municipal Code and State law;
  - d. Retail Deliveries Within the City: The delivery, as defined by Businesses and Professions Code § 26001(p) or any successor statute, of cannabis and/or cannabis product(s) to any parcel of real property within the City in connection with a retail sale thereof;
    - a. Microbusinesses: The operation of any cannabis microbusiness within any land-use zone within the City;
    - b. Use In Certain Areas: The inhalation, ingestion, use and/or other consumption, by any natural person, of any cannabis and/or any cannabis product(s):
      - i. In any place where any form of tobacco use is prohibited under California Labor Code § 6404.5 (or successor statute);
      - ii. Within any building and/or other facility owned, leased, operated or controlled by City;
      - iii. Upon any public road, street, right-of-way, easement, sidewalk, park or recreation site; and
      - iv. Upon any privately owned parcel, when such inhalation, ingestion, use and/or other consumption is to any degree detectable to the unaided senses of any reasonable observer who is not located upon the same parcel;
3. Cannabis Use Prohibited During Public Business Hours: Except where permitted by Conditional Use Permit, inhalation, ingestion, use and/or other consumption of any cannabis and/or any cannabis product(s) by any natural person is prohibited within any commercial business conducted when said business is open to the public.

E. Conditional Use Permit.

1. Conditional Use Permit Required: Unless and until this subsection is specifically cited as repealed, and notwithstanding any other ordinance of the City to the contrary, each land use occurring on a privately owned parcel of real property within the City which includes the cultivation, storage, transport, testing, processing and/or sale of any plant or crop, or derivative product thereof, which yields any detectable level of any substance which is listed within any schedule prepared under the federal Controlled Substances Act (codified at 21 U.S.C. §§ 801 et seq.), excluding Schedule V, shall require a conditional use permit consistent with Chapter 17.53 (Conditional Use Permits). Any conditional use permit issued pursuant to this requirement shall be deemed to include a condition which requires compliance with all applicable federal, State and local laws and regulations, regardless of whether or not the same is expressly listed as one of the conditions.
2. Exemptions: Subsection (a) shall not apply to any of the following:
  - a. A land use within the scope of California Health and Safety Code § 11362.1(a) and which will not concurrently occur on the same parcel with land uses which require any State license under the statutes of Proposition 64 (2016) and Senate Bill 94 (2017);
  - b. Each land use which consists, in whole or in part, of the operation of a pharmacy which is under the supervision of a State-registered pharmacist whom has a valid registration from the Drug Enforcement Administration of the United States Department of Justice.
  - c. Any land use which, after reasonable consultation with the Office of the City Attorney, the City reasonably believes is required to be exempt under applicable portions of federal and/or State laws.
3. Expiration of Conditional Use Permits: Notwithstanding any other provision within the Municipal Code to the contrary, the failure to operate a cannabis business upon any parcel with a conditional use permit therefor, for a period of six (6) or more consecutive months shall automatically cause said conditional use permit to expire and notice of expiration may be issued by the City but is not required to be issued.

D. Registration of Parcels Prior to Non-Commercial Cannabis Cultivation.

1. Registration Required: This section applies to non-commercial cannabis cultivation under Health and Safety Code § 11362.1. Each parcel of real property within the City must be registered under this section with the City Manager or designee prior to the non-commercial cultivation thereon of any quantity of cannabis whatsoever. Violation of this requirement is hereby declared to be unlawful and a public nuisance which may be abated by the City in any manner allowed by State law or local ordinance. Registration of a parcel does not create any vested right or any land-use entitlement.
2. Conditions of Active Registration: Registration of any parcel of real property under this section shall be invalid, void and inactive except during such times when all of the following conditions are all simultaneously satisfied:
  - a. Registration Application Requirements: Any person owning, leasing, occupying and/or having charge or possession of the parcel has, within the twelve (12) months preceding each date when cultivation will occur, submitted an accurate and signed application for registration, which was ultimately approved for registration by the City, containing all of the following information and documentation:
    - i. The name of each person, owning, leasing, occupying and having possession of the parcel;
    - ii. The maximum number of plants which will be cultivated on the parcel;
    - iii. Written consent to allow a City inspection of the cultivation site, during normal business hours and on a mutually suitable date, in order to complete the registration process; and
    - iv. Such other information and/or documentation as the City Manager reasonably determines is necessary to ensure compliance with State law and this Chapter including, without limitation, information reasonably necessary to establish compliance with subsection (b)(2) of this section.

The application information and documentation shall be received in confidence, and shall be used or disclosed only for purposes of administration or enforcement of this Chapter and/or State law, or as otherwise required by law or legal process.

The City Council may, by adoption of a resolution, establish a fee for such annual registration, which may include a fee for issuance of a registration certificate in accordance with all applicable legal requirements. Such fee must be paid in full for a registration to be valid and effective. All registrations, whether initial or renewal, of all parcels of real property shall expire at the end of the day on January 31st of the calendar year following the calendar year in which the parcel was registered.

3. Zoning Compliance: This subsection shall apply notwithstanding any other provision within the Municipal Code. For cannabis cultivations within the scope of Health and Safety Code § 11362.1, the parcel to be registered must be located within any zone where a residential land use is permitted, as established by Title 17 of the Municipal Code.
4. Owner's Consent: When a person cultivating cannabis on any parcel is not the legal owner(s) of the parcel, such person(s) must obtain the notarized written consent to such cultivation from the legal owner(s) of the parcel prior to commencing cultivation of cannabis on such parcel, and must provide the original of said consent to the City Manager at the time of application for registration of the parcel. Any withdrawal or revocation of the owner's consent must be notarized and shall, without any notice from the City, terminate any existing annual registration at the end of the thirtieth (30th) day after personal service of the notice, which must be dated, upon the tenant(s)/occupant(s), provided that a copy is contemporaneously served upon or mailed to the City. Any such notice which is mailed to a tenant(s)/occupant(s) must be postmarked and shall require an additional five (5) days to become effective.
5. Indoor Cultivation Requirements: Subject to the other requirements within this Chapter, the total area used for cannabis cultivation must not exceed one hundred (100) square feet. When it is unattended by the registrant, such cultivation area must be locked and completely inaccessible to anyone without a unique physical and/or alphanumeric key. The cannabis plants within the cultivation area must not be detectable by unaided sight or smell from adjacent parcels or public vantage points at ground level. Each door providing access into any cultivation area must be locked at all times when not within the view of the cultivator. After a citation issued for excessive odor becomes final and non-appealable, and after written notice of at least fifteen (15) business days, the City may require, as a condition for maintaining registration of a parcel, the installation of a City-approved ventilation system which includes one or more charcoal filters sufficient to eliminate further violations pertaining to cannabis odor. Each building must also comply with any existing, adopted or revised ordinances and all applicable State and local standards pertaining to ventilation rates, exhaust termination, ventilation inlets and humidity levels.

6. Cultivation Building Requirements: All cannabis cultivations must occur within a properly constructed and permitted real property improvement which is the private residence of the cultivator or is upon the parcel containing such private residence. Such private residence or accessory structure thereto which contains a cultivation area must be fully enclosed and comply with applicable State laws, building standards and all of the following shall apply:
  - a. Portables Prohibited: Cultivation within any trailer, camper and any other form of portable enclosure which is not a “private residence” under Health and Safety Code section 11362.2(b)(5) is prohibited.
  - b. Windows: The exterior windows to all buildings or structures where cannabis is cultivated, must eliminate visibility of all cannabis plants from all ground level exterior vantage points and must be equipped with security bars. Security bars must be installed on the inside of detached garages and other auxiliary buildings which are not certified or permitted as human living spaces and such buildings must have fire rated drywall properly installed. Windows must not be broken.
7. Doors: All frames for doors which allow entry into the building from the outside must be made of metal or solid wood reinforced with metal at the point where locks latch to them. All non-metal doors must be solid-core and equipped with either a deadbolt lock, or a properly functioning industrial grade padlock and locking mechanism, which can only be unlocked with a unique key.
8. Electrical: The lighting and electrical system for the cultivation area must comport with applicable building standards, including those pertaining to cultivation areas, and not exceed consumption of 1,200 watts at any time. In order to determine whether an electrical panel requires upgrading, a licensed electrician must perform a full electrical load calculation of the lighting and electrical system for the cultivation area and submit it to the City’s building official prior to initial registration, renewal of registration and any time the lighting and electrical system is modified to any degree other than the routine replacement of bulbs and fuses. The use of an extension cord of any kind is prohibited for all aspects of cannabis cultivation.
9. Flooring: The flooring beneath each cannabis plant must not consist of carpet or other non-water proof material which can be penetrated by water or other liquids.

10. Irrigation Equipment: Use of all garden hoses, drip irrigation lines, irrigation timers and other irrigation components designed for outdoor use is prohibited for all indoor cannabis cultivation. All water fixtures and modifications thereto must be inspected and approved by the City. A reduced pressure backflow prevention device must be properly installed, functioning and inspected for each water fixture used primarily for cannabis cultivation. The presence of any toxic mold in any quantity which exceeds the naturally occurring level is prohibited.
11. Effluents: Discharge into the City's sanitary sewer system of any effluent containing any cannabis cultivation waste product, chemical, fertilizer or pesticide is prohibited, including discharges into household drains, commercial drains, storm drains and other private and public drainage systems within the City. Furthermore, such discharges are also prohibited into any community water system, municipal water system and all other public or private water systems.
12. Chemical: All pesticides, fertilizers and other treatments or chemicals used for cannabis cultivation must not be stored within any area of a private residence which does not comply with all requirements of this Chapter for a cannabis cultivation area. All such items must not be visible or otherwise detectable by unaided sight or smell from adjacent parcels or public vantage points at ground level.
13. Plant Size: At all times during indoor cannabis cultivation under Health and Safety Code § 11362.1 within a parcel containing a private residence, each cannabis plant must not exceed a height which is the lesser of eight (8) feet or one (1) foot from the ceiling above the plant, and the width must not exceed three (3) feet, provided that in no event should the size of cannabis plants which are grown together increase to a degree that any of them to any degree obstruct ingress and egress between each doorway and window within the room wherein they are located. Notwithstanding the foregoing, cannabis plants must not be cultivated in such a manner that the cannabis plant makes contact with any wall, door, window or ceiling at any time and there must at all times exist at least a one (1) foot space between each plant and the walls, doors, windows and the ceiling.
14. Safety Requirements: At all times during indoor cannabis cultivation under Health and Safety Code § 11362.1 within a parcel containing a private residence, whenever any person under the age of twenty-one (21) years resides, regularly visits or is actually present upon such parcel, the cultivated cannabis plants must not be located within any common area of such private residence which is accessible by such minor including, without limitation, any hallway, living room, den, family room, kitchen,

bathroom, garage or sunroom. Minors under the age of twenty-one (21) years also must not be allowed access into any indoor cultivation area during cultivation, harvesting, drying or processing of cannabis. Except when being actively consumed or handled in accordance with applicable State and local laws, all harvested cannabis and all cannabis products which are located on the parcel must be secured in a safe or room which is locked and inaccessible by persons under the age of twenty-one (21) years of age.

15. Records: At all times during cannabis cultivation under Health and Safety Code § 11362.1 which occurs within the City, at least one legible and up-to-date hardcopy journal must be maintained on the parcel, containing all of the following information:

- i. Each cannabis plant's date of acquisition;
- ii. The source of such acquisition;
- iii. Height and width in inches during each calendar month;
- iv. Each cannabis plant's corresponding owner; and
- v. The date of each journal entry next to the printed and signed name of the person making the entry into the journal.

Said journal must be retained for a period of not less than five (5) years after each date listed within the journal. As a pre-condition of registration or registration renewal, the City may require individual tags, bar codes or other physical labels or markers to be affixed onto each cannabis plant exceeding one inch in vertical height.

16. Metered Water: Water service to the parcel must be metered with a device which is both capable of wireless transmission of metering data and approved by the City.
17. Building Standards: All waterlines, electrical wiring and structures used for cultivation of cannabis must comply with all applicable building codes, laws and ordinances.
18. Compliance with State Cannabis Laws: Each registrant must at all times remain in full compliance with all State statutes which are applicable to cannabis including, without limitation, those pertaining to personal cultivation, sales, gifting, use and possession.
19. Overdue City Balance: Each owner of the parcel to be registered must not have any amount which is overdue, thirty (30) or more days, to the City in unpaid fines, penalties, fees, charges, taxes, assessments and/or other payments, including contracted payments.

20. Registration Voided Upon Violation: Any registration which becomes void for lack of compliance with any requirement of this Chapter shall remain void and ineffective from the initial moment of noncompliance and cannot be reinstated without a renewal application.
  21. Responsibility for Cultivation Violations: No person owning, leasing, occupying or having charge or possession of any parcel within the City shall cause, allow, suffer, or permit such parcel to be used for cultivation of cannabis in violation of any provision in this Chapter. Violation of this provision by any person owning, leasing, occupying or having charge or possession of any registered parcel shall be grounds for revocation of registration in addition to abatement under this Chapter.
  22. The City Manager or designee shall have authority to, in writing, waive any registration fee and/or requirements otherwise needed for registration, and thereafter issue a registration when, after reasonable consultation with the Office of the City Attorney, it is reasonably believed that State or federal law might so require.
16. Annual Registration of Parcels Prior to Use for Cannabis Business.
1. Registration Required: Each parcel of real property within the City must be registered under this section with the City Manager or designee prior to the use of said parcel for any cannabis business activity and each cannabis business activity within the scope of any State license issued pursuant to Division 10 of the California Business and Professions Code. Violation of this requirement is hereby declared to be unlawful and a public nuisance which may be abated by the City in any manner allowed by State law or local ordinance. Registration of a parcel does not create any vested right or land-use entitlement.
  2. Conditions of Active Registration: The registration of any parcel of real property under this section shall be invalid, void and inactive except during such times when all of the following conditions are all simultaneously satisfied:
  3. Local Cannabis Business Tax: A valid voter-approved local tax ordinance, other than a generally applicable business, sales or use tax, must be in effect for each type of commercial cannabis business activity which is to occur on the parcel. For commercial cultivation of cannabis, such tax must be calculated based upon the square footage of cultivation area and contain an inflationary escalator, or calculated as a percentage of annual gross receipts per fiscal year. For all other cannabis business activity, such tax must either be:

- a. Calculated based upon the square footage of business area and contain an inflationary escalator; or
- b. Calculated as a percentage of annual gross receipts per fiscal year, to the extent permitted by law.

The local tax must allow the City Council to annually or periodically choose which calculation method to implement.

4. Registration Application Requirements: Any person owning, leasing, occupying and/or having charge or possession of the parcel must, within the twelve (12) months preceding each date when activity within the scope of a State license issued pursuant to Division 10 of the California Business and Professions Code occurs, submit an accurate and signed application for registration, and successfully register said parcel with the City. Said application must contain all of the following information and documentation:
  - a. The name of each person, owning, leasing, occupying and having possession of the parcel. Corporations and other businesses entities which have more than one hundred owners may instead list the top one hundred owners with the greatest individual ownership interests and next to them list their respective ownership share;
  - b. For each business, a list of all personnel who are assigned to work at the parcel to be registered;
  - c. The maximum number of plants which will be cultivated on the parcel, if cultivation is to occur;
  - d. Written consent to allow a City inspection of all portions of the parcel, during normal business hours and on a mutually suitable date, in order to complete the registration process; and
  - e. Such other information and/or documentation as the City Manager reasonably determines is necessary to ensure compliance with State law and this Chapter including, without limitation, information reasonably necessary to establish compliance with subsection (b)(3) of this section.

This application information and documentation shall be received in confidence, and shall be used or disclosed only for purposes of administration or enforcement of this Chapter and/or State law, or as otherwise required by law or court order.

The City Council may, by adoption of a resolution, establish a fee for such annual registration in accordance with all applicable legal requirements. All registrations, whether initial or renewal, of all parcels of real property shall expire at the end of the day on January 31st of the calendar year following the calendar year in which the parcel was registered.

5. Zoning Compliance: Notwithstanding any other provision within the Municipal Code, and except as otherwise specifically provided otherwise within this Chapter, for all cannabis business activity, the parcel to be registered must be located within the “I” (Industrial) or “IL” (Light Industrial) zone as established by Chapter 17.37 of the Municipal Code.
6. Copy of State License: Promptly upon receipt of a valid and operative State license, but no later than three (3) months after successful registration of a parcel under this section, a certified copy of such State license must be lodged with the City.
7. Conditional Use Permit: A conditional use permit must be obtained, consistent with Chapter 17.53 (Conditional Use Permits).
8. Owner’s Consent: When the person who will operate any cannabis business upon any parcel is not the legal owner of the parcel, such person must obtain the notarized written consent to operate a cannabis business upon the parcel from any legal owner(s) of the parcel and must provide the original of said consent to the City Manager at the time of application for that person’s first registration of the parcel. Any withdrawal or revocation of the owner’s consent must be notarized and shall not impact an existing annual registration but shall operate to preclude a renewal registration when actually received by the City prior to the actual issuance of the renewal registration. A copy of any withdrawal or revocation of consent must be mailed or personally served upon the cannabis business owner at the affected parcel on or about the same day in which it is provided to the City and proof of service must be provided to the City in a form approved by the City.
9. Compliance with State Cannabis Laws: Each cannabis business must at all times remain in full compliance with all State statutes which are applicable to the particular cannabis business operated including but not limited to:
  - a. State licensing requirements.
  - b. Protections for minors (e.g. see Chapter 14 of Division 10 of the California Business and Professions Code);

- c. Advertising and marketing restrictions (e.g. see Chapter 15 of Division 10 of the California Business and Professions Code);
  - d. Maintenance of commercial cannabis activity records for seven years (e.g. see Chapter 16 of Division 10 of the California Business and Professions Code);
  - e. Unique identifiers and the expanded track-and-trace program, including electronic seed-to-sale software tracking with data points for the different stages of commercial activity including, but not limited to, cultivation, harvest, processing, distribution, inventory and sale (e.g. see Chapter 6.5 of Division 10 of the California Business and Professions Code);
  - f. Mandatory packaging and labeling requirements (e.g. see Chapter 12 of Division 10 of the California Business and Professions Code); and
  - g. Quality Assurance, Inspection, and Testing (e.g. see Chapter 11 of Division 10 of the California Business and Professions Code).
10. Records: Upon request of the City, the owner of the cannabis business must consent, in writing, to the City's access to and use of all State unique identifiers and track-and-trace program information pertaining to the cannabis business, under Chapter 6.5 of Division 10 of the California Business and Professions Code. If the State fails to provide immediate access to the City to such information, the City Manager or designee may, after written notice to all existing registrants and registration applicants, require that at all times during commercial cannabis business activity within the City, at least one legible and up-to-date hardcopy journal must be maintained on the parcel, containing all of the information required to be reported to the State by the cannabis business as well as any additional information as may be specified by the City.
11. Security System: Each cannabis business must have installed an alarm system which is monitored offsite at all times for security. The alarm system must be utilized whenever the staff of the cannabis business are offsite.
12. Disclosure of Violations: The owner of the cannabis business must disclose to the City, in writing, each and all violation notices issued to the cannabis business by or on behalf of the State and/or any other local government within ten (10) business days after receipt thereof. Thereafter, the final disposition of each alleged violation must be reported in writing

to the City within ten (10) business days after the opportunity to appeal or otherwise legally challenge has expired.

13. Overdue City Balance: Each owner of the cannabis business, and each owner of record of the parcel to be registered, do not have any amount which is overdue, thirty (30) or more days, to the City in unpaid fines, penalties, fees, charges, taxes, assessments and/or other payments, including contracted payments.
14. Registration Voided Upon Violation: Any registration which becomes void for lack of compliance with any requirement of this Chapter shall remain void and ineffective from the initial moment of noncompliance and cannot be reinstated without a new registration application. A re-registration application from the same cannabis business owner may only be approved with retroactive effect, going back to the date when the parcel became unregistered, if all of the following are satisfied:
  - a. The re-registration application was submitted no later than ten (10) business days after receipt of formal written notice from the City of a violation;
  - b. All of the regular application requirements are satisfied;
  - c. The applicant has tendered the application fee with the re-registration application, which shall be non-refundable, set by resolution of the City Council;
  - d. The applicant has paid a non-refundable re-registration penalty in the full amount set by resolution of the City Council; and
  - e. The applicant has paid for all costs associated with processing of the re-registration application, including City inspection fees and related consultant costs incurred by the City.
15. Responsibility for Violations: No person owning, leasing, occupying or having charge or possession of any parcel within the City shall cause, allow, suffer, or permit such parcel to be used for a cannabis business in violation of any provision in this Chapter. Violation of this provision by any person owning, leasing, occupying or having charge or possession of any registered parcel shall be grounds for revocation of registration in addition to abatement under this or any other Chapter of the Municipal Code.
16. The City Manager or designee shall have authority to, in writing, waive any registration fee and/or requirements otherwise needed for registration,

and thereafter issue a registration when, after consultation with the City Attorney, it appears that State or federal law might so require.

**D. Registration of Parcels Prior to Commercial Cultivation.**

1. Additional Conditions of Active Registration: In addition to the requirements of the preceding section, and for all cannabis cultivations *not* within the scope of Health and Safety Code § 11362.1, registration of any parcel of real property shall also be invalid, void and inactive except during such times when all of the following conditions are all simultaneously satisfied:
  - a. Zoning Compliance: This subsection shall apply notwithstanding any other provision within the Municipal Code. The parcel to be registered must be located within the “I” (Industrial) or “IL” (Light Industrial) zone as established by Chapter 17.37 of the Municipal Code.
  - b. Conditional Use Permit: A conditional use permit must be approved, consistent with Chapter 17.53 (Conditional Use Permits).
  - c. Cultivation Requirements: When it is unattended by the registrant, the cultivation area must be locked and completely inaccessible to anyone without a unique physical and/or alphanumeric key. The cannabis plants within the cultivation area must not be detectable by unaided sight or smell from adjacent parcels or public vantage points at ground level. Each door providing access to any cultivation area must be locked at all times when not within the view of the registrant or its staff. Minors under the age of twenty-one (21) years must not enter into any cultivation area during cultivation, harvesting, drying or processing of cannabis.
  - d. Cultivation Buildings: All commercial cannabis cultivation sites must be located within properly constructed and permitted real property improvements which are fully enclosed, comply with applicable State laws and building standards, and which comply with all of the following:
2. Prohibited Buildings: Temporary buildings, portable modular buildings, prefabricated buildings trailers, campers and any other form of portable enclosure must not be used as commercial cannabis cultivation site under any circumstances.

3. Windows: The exterior windows to all buildings or structures used as a cultivation site must eliminate visibility of all cannabis plants from all ground level exterior vantage points and must be equipped with security bars. Windows must not be broken.
4. Doors: All frames for doors which allow entry into the building from the outside must be made of metal or solid wood reinforced with metal at the point where locks latch to them. All non-metal doors must be solid-core and equipped with either a deadbolt lock, or a properly functioning industrial grade padlock and locking mechanism, which can only be unlocked with a unique key.
5. Electrical: The lighting and electrical system for the cultivation area must comport with applicable building standards, including those pertaining to cultivation sites. In order to determine whether an electrical panel requires upgrading, a licensed electrician must perform a full electrical load calculation of the lighting and electrical system for the cultivation area and submit it to the City's building official prior to initial registration, annual renewal of registration, re-registration and any time the lighting and electrical system is modified to any degree other than the routine replacement of bulbs and fuses. The use of an extension cord of any kind is prohibited for all aspects of cannabis cultivation.
6. Flooring: The flooring beneath each cannabis plant must not consist of carpet or other non-water proof material which is penetrable by water and any other liquid.
7. Irrigation Equipment: All water fixtures and modifications thereto must be inspected and approved by the City. A reduced pressure backflow prevention device must be properly installed, functioning and inspected for each water fixture used primarily for cannabis cultivation. Runoff from irrigated cannabis plants must not be located in walkways and must not exit the building at any time. Slippery conditions upon any walkway are prohibited. The presence of any toxic mold in any quantity which exceeds the naturally occurring level is prohibited.
8. Effluents: Discharge into the City's sanitary sewer system of any effluent containing any cannabis cultivation waste product, chemical, fertilizer or pesticide is prohibited, including discharges into household drains, commercial drains, storm drains and other private and public drainage systems within the City. Furthermore, such discharges are also prohibited into any community water system, municipal water system and all other public and private water systems.

9. Chemicals: All pesticides, fertilizers and other treatments or chemicals used for cannabis cultivation must not be stored in a manner which allows them to be visible or otherwise detectable by unaided sight or smell from adjacent parcels or public vantage points at ground level.
10. Ventilation: Each cultivation site must be equipped with a City-approved ventilation system, which may include charcoal filters, sufficient to eliminate detection of cannabis odors from the exterior of the building containing the cultivation site. Each building must also comply with any existing, adopted or revised ordinances and all applicable State and local standards pertaining to ventilation rates, exhaust termination, ventilation inlets and humidity levels. After a citation issued for excessive odor becomes final and non-appealable, and after written notice of at least fifteen (15) business days, the City may require, as a condition for maintaining registration of a parcel, the installation of additional City-approved ventilation system components and features necessary to eliminate further violations pertaining to cannabis odor.
11. Plant Size: In no event should the size of cannabis plants which are grown together increase to a degree that any of them obstruct unrestricted ingress and egress between each doorway and window within the room where they are located. Cannabis plants must not be cultivated in such a manner that the cannabis plant makes contact with any wall, door, window or building ceiling at any time and there must at all times exist at least a one (1) foot empty space between each plant and the walls, doors, windows and ceiling.
12. Records: If the State fails to provide immediate access to the City to any or all State unique identifiers and track-and-trace program information pertaining to the cannabis business, the City Manager or designee may, after written notice to all existing registrants and registration applicants, require that at all times during commercial cannabis cultivation within the City, at least one legible and up-to-date hardcopy journal must be maintained on the parcel, containing all of the following information:
  - a. Each cannabis plant's date of acquisition;
  - b. The source of such acquisition;
  - c. Height and width in inches during each calendar month;
  - d. Each cannabis plant's corresponding owner; and
  - e. The date of each journal entry next to the printed and signed name of the person making the entry into the journal.

Said journal must be retained for a period of not less than five (5) years after each date listed within the journal.

13. Metered Water: Water service to the parcel must be metered with a device which is both capable of wireless transmission of metering data and approved by the City.
14. Building Standards: All waterlines, electrical wiring and structures used for cultivation of cannabis must comply with all applicable building codes, laws and ordinances.
17. Registration Application and Certificate; Identification Cards.
  1. Applications: Each applicant seeking to register a parcel for a cannabis business must be the owner of the cannabis business and submit a written application on a form approved by the City. Within twenty (20) business days after receipt of registration application, the City Manager or designee shall either:
    - a. Act upon the registration application;
    - b. Provide a written notice of extension, not to exceed twenty (20) business days; or
    - c. Return the registration application with written notification as to why the application is incomplete.
  2. Registration Certificate: Upon approval of a registration application, the City shall issue a registration certificate which must be displayed in any public area within the registered parcel or, if there is no area for the public, within an area common to all employees. Duplicate registration certificates will require payment of fee which shall be set by resolution of the City Council.
  3. Employee Identification Card: Each cannabis business employee must at all times while on duty, or while upon a registered parcel, carry a laminated employer-issued identification card, which must be presented to City personnel upon request, containing all of the following:
    - a. The legal name or registered fictitious business name of the cannabis business;
    - b. The telephone number of the manager of the cannabis business manager;
    - c. The employee's first and last name; and
    - d. A color photograph of the employee.

18. Regulatory Inspections of Registered Parcels and Records.
- a. Annual Inspections: Each parcel upon which a cannabis business operates and each parcel upon which cultivation of cannabis occurs must be inspected by the City a minimum of one (1) time each calendar year.
  - b. Regulatory Parcel Inspections: Each parcel upon which a cannabis business operates and each parcel upon which cultivation of cannabis occurs shall be subject to inspection by the City during the ordinary business hours and, for each cannabis business, during any hours when cannabis business staff are working onsite. If the owner or other person in charge of or in possession of the parcel fails to consent to the regulatory inspection, the registrant shall be deemed to have requested that the City obtain and execute a regulatory inspection warrant and a fee shall be assessed against the registrant. Said fee shall be set in accordance with a fee resolution approved by the City Council. Said inspection shall be for the purpose of ensuring compliance with the requirements of this Chapter and applicable State laws.
  - c. Regulatory Records Inspections: The cannabis business records required to be maintained under Division 10 of the California Business and Professions Code and the records required to be maintained under this Chapter shall be subject to inspection by the City during the ordinary business hours and, for each cannabis business, during any hours when cannabis business staff are onsite. Said inspection shall be for the purpose of ensuring compliance with the requirements of this Chapter and applicable State laws.
19. Denial of Registration.
1. Background Check: Unless otherwise prohibited by law, every person applying for the registration of a parcel under this Chapter, excluding applicants within the scope of Health and Safety Code § 11362.1, must pay for and complete a LiveScan or comparable background check authorized by the City and provide the results thereof to the City in connection with their application for an initial registration application. Such applicant must also verify their identity by presenting an unexpired identification card or driver's license issued by any U.S. state or the federal government.
  2. Grounds for Denial/Revocation/Suspension: The City Manager, or her/his designee, may deny, refuse to renew, suspend or revoke any registration obtained or sought to be obtained under this Chapter where any one or any combination of the following conditions are satisfied:

Farmersville Zoning Ordinance  
Chapter 41: Special Uses

- a. The applicant or registrant failed to provide a fully completed application for registration;
  - b. The applicant or registrant provided inaccurate information on an application for registration;
  - c. The applicant or registrant failed to pay to the City the required registration fee and/or applicable inspection costs;
  - d. The applicant or registrant repeatedly violated this Chapter within the preceding twenty-four (24) months;
  - e. The applicant or registrant repeatedly violated Chapter 10 of Division 2 of the California Business and Professions Code and now seeks registration to operate a cannabis business;
  - f. The applicant or registrant, or upper management thereof if applicable, has been convicted of any felony, misdemeanor, infraction or municipal code violation, or liability in an administrative or civil action, which is substantially related to the qualifications, functions or duties any State-licensed business to be carried out upon the parcel;
  - g. The applicant or registrant refused to allow the City to conduct a regulatory inspection of the parcel registered or inspection of records required, as required by this Chapter;
  - h. The applicant or registrant failed to pay to the City any amount which is overdue, thirty (30) or more days, to the City in unpaid fines, penalties, fees, charges, taxes and/or assessments.
  - i. The applicant or registrant seeks registration to operate a cannabis business but no local cannabis business tax, other than a generally applicable business, sales or use tax, is in effect for the type of commercial cannabis business activity which is to occur on the parcel, as required by this Chapter.
3. Appeal: Any person aggrieved by a denial of their application for registration may appeal the decision in the same manner as a notice to abate under Section 17.41.130 N. Upon receipt of a request for appeal, the City Manager or designee may elect to have the appeal proceed under Section 17.41.130 N. or another process within the Municipal Code, by providing a copy of such process.

20. Responsibilities of Registrants.

1. For the purpose of enforcing the requirements of this Chapter, the registrant of each parcel within the City shall be fully responsible for all conduct occurring on the parcel which may violate the terms of this Chapter, including the conduct of each of the registrant's invitees, guests, employees, agents and independent contractors working on the parcel, if applicable.
2. If any violation of the requirements of this Chapter occurs on a registered parcel, notice of suspension, revocation or restriction may be issued by providing written notice thereof within or in addition to a notice of violation and/or a notice to abate, which identifies the violation(s) supporting the decision to suspend, revoke or restrict the registration. The suspension, revocation or restriction shall become final when finding regarding the related violation(s) becomes final, unless an immediate suspension, revocation or restriction is reasonably necessary to protect against a substantial risk of significant bodily harm, death or significant property damage.
3. In addition, the City may report all violations committed by State licensees to the State.

21. Violations.

- a. Any violation of the provisions of this Chapter by any member of the public is hereby declared to be a public nuisance and may be abated by any or all remedies available.
- b. The City may abate the violation of this Chapter by the prosecution of a civil action through the City Attorney, including an action for injunctive relief. The remedy of injunctive relief may take the form of a court order, enforceable through civil contempt proceedings, prohibiting the maintenance of the violation of this Chapter or requiring compliance with other terms.
- c. Each cannabis plant cultivated in violation of the applicable provisions of this Chapter shall constitute a separate and distinct violation.
- d. Each and every day that a violation exists as to any violation within this Chapter shall constitute a separate and distinct violation.
- e. Each violation of this Chapter may be enforced by any and all lawful remedies available under the Municipal Code and applicable state statute(s), including but not limited to civil fines and penalties, infraction

citation, criminal prosecution, public nuisance abatement and civil injunction, as appropriate, and all available remedies shall be cumulative and not preclude other available remedies.

22. Notice to Abate Cannabis Violation.

Whenever the enforcing officer determines that a public nuisance as described in Chapter exists on any parcel within the City, he or she is authorized to notify the record owner(s) and/or occupant(s) of the parcel, through issuance of a written Notice to Abate Cannabis Violation (“*notice to abate*”).

23. Contents of Notice.

The written notice required under section 17.41.130 K. must be in writing and must:

1. Identify the owner(s) of the parcel upon which the nuisance exists, as named in the records of the county assessor, and identify the occupant(s), if other than the owner(s), and if known or reasonably identifiable.
2. Describe the location of such parcel by its commonly used street address, giving the name or number of the street, road or highway and the number, if any, of the parcel.
3. Identify such property by reference to the assessor’s parcel number.
4. Contain a statement that cannabis violation exists on the parcel and that it has been determined by the enforcing officer to be a public nuisance as described in this Chapter.
5. Describe the cannabis violation that exists and the actions required to abate it.
6. Contain a statement that the owner or occupant is required to abate the cannabis violation within fourteen (14) calendar days after the date of service of the required *notice to abate*.
7. Contain a statement that the owner or occupant may, within ten (10) calendar days after the date that said notice was served, make a request in writing to the City Clerk for a hearing with the City Manager or the City Manager's designee to appeal the determination of the enforcing officer that the conditions existing constitute a public nuisance, or to show other cause why those conditions should not be abated in accordance with the provisions of this Chapter.

8. Contain a statement that, unless the owner or occupant abates the cannabis violation, or requests a hearing before the City Manager or designee, within the time prescribed in the written notice, the enforcing officer will abate the nuisance. It shall also state that the abatement costs, including administrative costs, shall be made a special assessment added to the real property tax assessment roll and become a lien on the parcel, or be placed on the unsecured tax roll.
  9. Indicate that the parcel may be sold by the tax collector after three (3) years of unpaid delinquent assessments.
24. Service of Notice.
- a. The *notice to abate* shall be served by delivering it personally to any adult occupant of the parcel and, pursuant to Government Code § 38773.5(c), shall also be served by certified United States mail address to each owner of the parcel, together with a Certificate of Mailing, to the address of each owner of the parcel as shown on the last equalized assessment roll, except that:
    - a. If the records of the county assessor show that the ownership has changed since the last equalized assessment roll was completed, the written notice shall also be mailed to each new owner at his or her address as it appears in said records; or
    - b. In the event that, after reasonable effort, the enforcing officer is unable to serve the written notice as required by this section, service shall be accomplished by posting a copy of the written notice on the parcel upon which the nuisance exists as follows:
      - b. Copies of the written notice shall be posted along the frontage of the subject property and at each entryway or such other locations on the property reasonably likely to provide notice to the owner and occupant.
      - c. In no event shall fewer than two (2) copies of the written notice be posted on a property pursuant to this section.
      - d. The service of the written notice is deemed complete as of the date of deposit in the U.S. mail, personal delivery, or posting, as applicable.
      - e. Upon completion of service of the *notice to abate*, said notice may be recorded in the Office of the County Recorder pursuant to Government Code § 38773.5(e).

25. Administrative Review.

1. Any person upon whom a *notice to abate* has been served may appeal the determination of the enforcing officer, that the conditions set forth in such notice constitute a violation and/or public nuisance, to the City Manager or designee, or may show cause before the City Manager or designee why those conditions should not be abated in accordance with the provisions of this Chapter.
2. An administrative review must be commenced by filing a written request for a hearing with the City Clerk within ten (10) calendar days after the date when the relevant notice was served upon them. The written request shall include a statement of all facts supporting the appeal. The time requirement for filing the written request for administrative review shall be deemed jurisdictional and may not be waived. In the absence of a timely filed written request which complies fully with the requirements of this section, the findings of the enforcing officer contained in the relevant notice shall become final and conclusive on the eleventh (11th) day following service of the relevant notice.
3. Upon timely receipt of a written request for hearing which complies with the requirements of this section, the City Clerk shall set a hearing date not less than seven (7) days nor more than thirty (30) days from the date the request was filed, unless the City and the person requesting the hearing agree otherwise in writing. The City Clerk shall send written notice of the hearing date to the requesting party, to any other parties upon whom the City served, and to the enforcing officer. Pursuant to Government Code § 38773.5(c), said notice of the hearing date shall be sent by certified mail to the record owners of the parcel.
4. Any hearing conducted pursuant to this Chapter need not be conducted according to technical rules relating to evidence, witnesses and hearsay. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely upon in the conduct of serious affairs regardless of the existence of any common law or statutory rule which might make improper the admission of the evidence over objection in civil actions. The City Manager or designee has discretion to exclude evidence if its probative value is substantially outweighed by the probability that its admission will necessitate undue consumption of time.
5. The City Manager or designee may continue the administrative hearing from time to time.

6. The City Manager or designee shall consider the matter de novo, and may affirm, reverse, or modify the determinations contained in the notice identifying the disputed violations. The City Manager or designee shall issue a written decision in the form of a resolution, which shall include findings relating to the existence or nonexistence of the alleged cannabis violation, as well as findings concerning the propriety and means of abatement of the conditions set forth in the *notice to abate*. Such decision shall be mailed to, or personally served upon, the party requesting the hearing, any other parties upon whom the *notice to abate* was served, and the enforcing officer except that pursuant to Government Code § 38773.5(c), said notice shall be sent by certified mail to the record owners of the parcel.
  7. The decision of the City Manager or designee shall be final and conclusive.
  8. After issuance of the decision of the City Manager or designee, if a *notice to abate* was recorded against any property that, under the decision of the City Manager or designee, shall not secure any special assessment under this Chapter, the City Clerk shall cause a *Notice of Withdrawal* to be recorded in the Office of the County Recorder pursuant to Government Code § 38773.5(e). Said *Notice of Withdrawal* need not be acknowledged but must have attached a certified copy of the City Manager or designee resolution authorizing the recordation of the *Notice of Withdrawal*, and shall specifically reference the official recorded document number listed on the *notice to abate* to be withdrawn.
26. Liability for Costs and Expenses.
- a. In any enforcement action brought pursuant to this Chapter, whether by administrative proceedings, judicial proceedings, or summary abatement, each person who causes or permits to exist, or who maintains any cannabis violation shall be liable for all costs incurred by the City, including, but not limited to, administrative costs, and any and all costs incurred to undertake, or to cause or compel any responsible party to undertake, any abatement action in compliance with the requirements of this Chapter, whether those costs are incurred prior to, during, or following enactment of this Chapter.
  - b. In any action by the enforcing officer to abate cannabis violation under this Chapter, whether by administrative proceedings, judicial proceedings, or summary abatement, the prevailing party shall be entitled to a recovery of the reasonable attorneys' fees incurred. In no action, administrative proceeding or special proceeding shall an award of attorneys' fees to a prevailing party exceed the amount of reasonable attorneys' fees actually

incurred by the City in such action or proceeding. Pursuant to Government Code § 38773.5(b), recovery of attorneys' fees under this subsection shall be limited to those actions or proceedings in which the City elects, in the *notice to abate*, to seek recovery of its own attorneys' fees.

27. Abatement by Owner or Occupant.

Any owner or occupant may abate an cannabis violation on parcel of real property owned, occupied or controlled by them or cause such cannabis violation to be abated at any time prior to commencement of abatement by, or at the direction of, the enforcing officer.

28. Enforcement.

- a. Whenever the enforcing officer becomes aware that an owner or occupant has failed to abate any cannabis violation within fourteen (14) days of the date of service of the *notice to abate*, or if an such notice was appealed, as of the date set by the City Manager or designee requiring such abatement, if any, the enforcing officer may take one or more of the following actions:
  - a. Enter upon the parcel and abate the nuisance with City personnel, or by private contractor under the direction of the enforcing officer. The enforcing officer may apply to a court of competent jurisdiction for an abatement warrant authorizing entry upon the property for the purpose of undertaking the abatement work. If any part of the work is to be accomplished by a private contractor(s), a written estimate of the work shall be provided to the owners and occupants of the parcel. Nothing herein shall be construed to require that any contract be awarded under this Chapter through competitive bidding procedures whenever such procedures are not required by the general laws of the State of California or this Code; or
  - b. Request that the City Attorney commence a civil action to redress, enjoin and/or abate the public nuisance.

29. Accounting.

The enforcing officer shall keep a written accounting of the cost of every abatement carried out and shall render a report in writing, itemized by parcel, to the City Manager or designee showing the cost of abatement and the administrative costs for each parcel.

30. Notice of Hearing on Accounting; Waiver by Payment.

Upon receipt of the accounting report of the enforcing officer, the City Clerk shall send a copy of each report by certified mail addressed to each corresponding property owner and include therewith a notice informing each owner that at the date and time specified, which shall not be less than five (5) business days after the date of mailing of the notice, the City Manager or designee will meet to review the accounting report and that each owner may appear at said time and be heard. The owner may waive the hearing on the accounting by paying the cost of abatement and the cost of administration to the City Clerk prior to the time set for the hearing by the City Manager or designee. Unless otherwise expressly stated by the owner, payment of any costs of abatement and any costs of administration prior to said hearing shall be deemed a full waiver of the right to said hearing and a conclusive admission that said accounting is accurate and reasonable.

T. Hearing on Accounting.

1. At the time fixed, the City Manager or designee shall meet to review the report of the enforcing officer. An owner may appear at said time and be heard on the question of whether the accounting, so far as it pertains to the cost of abating a nuisance upon the land of the owner, is accurate and the amounts reported are reasonable. The cost of administration shall also be reviewed.
2. The report of the enforcing officer shall be admitted into evidence. The owner(s) shall bear the burden of proving by clear and convincing evidence that the accounting is not accurate and reasonable.

31. Modifications.

The City Manager or designee shall make such modifications in the accounting as it deems necessary and thereafter shall confirm the report by resolution.

32. Special Assessment and Lien.

After the hearing on the accounting under section 17.41.130 T., the City Manager or designee may order that the cost of abatement of any nuisance pursuant to this Chapter and the administrative costs as confirmed by the City Manager or designee be recorded as a special assessment against the respective parcels of land and placed upon the secured County tax roll, or placed on the unsecured roll, pursuant to section 38773.5 of the Government Code. However, the cost of abatement and the cost of administration as finally determined by the City Manager or designee shall not be placed on any tax roll if paid in full prior to entry of said costs on the tax roll. The City Manager or designee may also authorize or require that a *Notice of Abatement Lien* be recorded against the

respective parcels of real property pursuant to section 38773.5(e) of the Government Code.

33. Enforcement by Civil Action.

As an alternative to the procedures set forth in sections 17.41.130 K. through 17.41.130 N., the City may abate the violation of this Chapter by the prosecution of a civil action through the City Attorney, including an action for injunctive relief. The remedy of injunctive relief may take the form of a court order, enforceable through civil contempt proceedings, prohibiting the maintenance of the violation of this Chapter or requiring compliance with other terms.

34. Summary Abatement.

Notwithstanding any other provision of this Chapter, when any cannabis violation constitutes an immediate threat to public health, security or safety, and when the procedures set forth in sections 17.41.130 K. through 17.41.130 N., would not result in abatement of that nuisance within a short enough time period to avoid that threat, the enforcing officer may direct any officer or employee of the City to summarily abate the nuisance. The enforcing officer shall make reasonable efforts to notify the persons identified in section 17.41.130 M., but the formal notice and hearing procedures set forth in this Chapter shall not apply. Pursuant to Government Code § 38773, the City may nevertheless recover its costs for abating that nuisance in the manner set forth in sections 17.41.130 R through 17.41.130 U.

35. No Duty to Enforce.

Nothing in this Chapter shall be construed as imposing on the enforcing officer or the City any duty to issue a *notice to abate*, nor to abate any cannabis violation, nor to take any other action with regard to any cannabis violation, and neither the enforcing officer nor the City shall be held liable for failure to issue an order to abate any cannabis violation, nor for failure to abate any cannabis violation, nor for failure to take any other action with regard to any cannabis violation.

36. Definitions.

All definitions set forth within California Health and Safety Code § 11362.7, California Business and Professions Code § 26001 and California Revenue and Taxation Code § 34010, as amended from time to time, and as interpreted by judicial opinions from time to time, shall apply under this Chapter in addition to the definitions set forth within subsection (b) below. In the event of an actual conflict between the definitions within the aforementioned statutes and those contained within subsection (b) below, the definition within subsection (b) shall prevail.

1. “City” refers to the City of Farmersville.
2. “Enforcing officer” means the Chief of Police or the Code Enforcement Officer, or the authorized deputies or designees of either, each of whom is independently authorized to enforce this Chapter.
3. “Legal parcel” and “parcel” mean any parcel of real property which may be separately sold in compliance with the Subdivision Map Act [Division 2 (commencing with section 66410) of Title 7 of the Government Code].
4. The terms “cannabis” and “marijuana” shall have the same meaning within this ordinance. Furthermore, except where otherwise distinguished, the term “cannabis” shall include and refer to both medicinal cannabis and non-medicinal cannabis.
5. “Mature cannabis plant” and “immature cannabis plant” shall have the same meaning as those terms are used in California Health and Safety Code § 11362.77.
6. “Medical cannabis” shall have the same meaning as medicinal cannabis in California Business and Professions Code § 26001.
7. “Municipal Code” refers to the Farmersville Municipal Code.
8. “Cannabis business” shall mean any “cannabis business activity” as defined California Business and Professions Code § 26001(k), or successor statute, but shall not include any business whose only relationship to cannabis is the production or sale of accessories for individual consumption and/or use of cannabis or cannabis products.
9. The term “State” refers to the State of California.

**17.41.140 Streamlined Ministerial Approval Process for Affordable Multi-Family Residential projects**

A. Purpose

Senate Bill (SB) 35 and SB 330 provide streamlined (i.e. ministerial) approval processes for qualifying multifamily housing projects and mixed-use developments that have at least two-thirds of the square footage dedicated to residential use. Projects approved in accordance with SB 35 are exempt from the California Environmental Quality Act (CEQA). Local jurisdictions must approve or deny qualifying projects within 60 days of

application completion for projects with 150 or fewer units, or within 90 days of application completion for projects with more than 150 units.

B. Qualifying Factors

In order to qualify for the Streamlined Ministerial Approval Process, a project must satisfy all of the following requirements:

1. At least 75 percent of the project site perimeter must adjoin parcels developed with urban uses.
2. The project site must have a General Plan designation and zoning that allows residential or mixed-use development.
3. At least 50 percent of the proposed units must be affordable to households earning below 80 percent of the Area Median Income (AMI).
4. Affordable units must be subject to a recorded affordability covenant for a minimum of 55 years for rental units and 45 years for ownership units.

C. Application

Project proponent shall submit a completed Housing and Community Development (HCD) SB 330 Preliminary Application Form to serve as Notice of Intent to submit an application for Streamlined Ministerial Approval Process.

D. Tribal Consultation

After the HCD SB 330 Preliminary Application Form is submitted, but prior to submitting the application for Streamlined Ministerial Approval Process, Native American tribal notification and consultation shall be satisfied in accordance with Government Code Section 65913.4(b).

**17.41.150 By-Right Approval**

A. Purpose of this article.

This chapter specifies the process for reviewing uses entitled to review as a "use by right" as defined in Government Code Section 65583.2. In enacting this chapter, it is the intent of the City to implement State law as well as the goals, objectives, and policies of the City's Housing Element of the General Plan.

B. Interpretation.

If any portion of this chapter conflicts with any applicable State law, State law shall supersede this chapter. Any ambiguities in this chapter shall be interpreted to be

consistent with State law. Statutory references in this chapter include successor provisions.

C. Eligibility for by-right approval.

The following uses are eligible for by-right approval:

1. Projects that satisfy the criteria outlined in subsections (i) and (ii) below:
  - a. Are located on sites listed as lower-income sites in the adopted housing element site inventory pursuant to Government Code Section 65583.2 subdivision (c) that are shown to have been either:
    - i. Vacant and listed in two prior housing element site inventories; or
    - ii. Non-vacant and listed in a previous housing element site inventory; and the sites identified in the adopted housing element.
2. Twenty percent of the total number of housing units in the project are proposed to be available to lower-income households at affordable rent or affordable housing cost, as applicable.
3. Permanent supportive housing as defined in Government Code Section 65660 that meets all of the requirements of Government Code Sections 65660 et seq.
4. Low barrier navigation centers as defined in Government Code Section 65660 that meets all of the requirements of Government Code Sections 65660 et seq.
5. One hundred percent affordable projects located on land that was owned by an independent institution of higher education or religious institution as described in Government Code Section 65913.16.
6. Emergency shelters in the RM Zones pursuant to the objective standards established by Chapter 17.19 and other applicable standards established by the respective zone.
7. Single-room occupancy projects in the RM zones whereas 20 percent of the total number of units in the project are proposed to be available to lower-income households at affordable rent or affordable housing cost, as applicable.

D. Permit requirements.

An applicant for a project eligible for by-right zoning approval shall submit an application for administrative review for approval of the design. No discretionary permit or approval is required.

E. Review of application.

1. For administrative review applications listed in this section, the Community Development Director or his/her designee, without notice or hearing, shall consider the application ministerially without discretionary review. When the application is in compliance with the relevant standards, the permit shall be issued. Should the Community Development Director or his/her designee find that the application is not in compliance with the relevant standards, the Community Development Director or his/her designee shall issue a written notice to the applicant identifying which standards have not been met. The decision may be appealed to Planning Commission only by the applicant or the owner of the subject property.
2. The application for the administrative review shall be reviewed for conformance with objective standards established by the Zoning Code.
3. As provided by Government Code Section 65583.2(i), an eligible project is exempt from the California Environmental Quality Act.
4. Permanent supportive housing shall be reviewed consistent with the provisions of Government Code Sections 65650 et seq.
5. Low barrier navigation centers shall be reviewed consistent with the provisions of Government Code Sections 65650 et seq.

F. Required findings.

In granting administrative approval, the Community Development Director or his/her designee, shall issue a letter of approval and shall make the following findings:

1. That the project is eligible for by-right approval under State law.
2. That the project complies with all applicable objective zoning and other adopted standards.
3. That the project is granted subject to such applicable conditions as required to meet the standards of the use and zone in which it is located and to comply with applicable design standards.

**17.45.260 Replacement Housing Requirements and Occupancy Protections**

This section shall apply only to housing development projects that: (1) on or after January 1, 2022, but before January 1, 2030, submit a complete application or a complete set of building plans for plan check and permit to the Community Development Department, along with any associated submittal fee; or (2) on or after the effective date of this section, receive an approval of a complete application that was submitted to the Community Development Department on or after January 1, 2020, but before January 1, 2022. This section does not apply to a housing development project that submitted a complete application to the Community Development Department before January 1, 2020.

A. Replacement requirements and occupant protections:

1. The City shall not approve or issue a building permit for a housing development project that will require the demolition of one or more residential dwelling units unless the project will create at least as many residential dwelling units of equivalent size as will be demolished.
2. The City shall not approve or issue a building permit for a housing development project that will require the demolition of occupied or vacant protected units, unless the housing development project meets all of the requirements of California Government Code Section 66300(d).
3. The following words and phrases, whenever used in this section, shall be defined as the following:

“Complete application” refers to a complete application pursuant to Section 65943 of the California Government Code.

“Equivalent size” means that the replacement units contain at least the same total number of bedrooms as the units being replaced.

“Housing development project” shall have the same meaning as defined in paragraph (3) of subdivision (b) of Section 65905.5 of the California Government Code.

“Protected units” has the same meaning as set forth in California Government Code Section 66300(d)(2).

4. Inclusionary housing or density bonus. Affordable replacement units required by this section may count toward any affordable housing set-aside

units required in connection with the granting of a density bonus, or the requirements of the City's inclusionary housing program, if applicable.

5. The affordable replacement units shall be subject to a recorded affordability housing agreement.
6. This section shall remain effective despite the possible expiration of Government Code Section 66300.
7. A housing development project that submits a preliminary application pursuant to Section 65941.1 of the California Government Code before January 1, 2030, remains subject to this section after January 1, 2030.

## **CHAPTER 43**



# **Landscaping, Irrigation and Grading**

### **Sections**

- 17.43.010 Purpose.**
- 17.43.020 General provisions.**
- 17.43.030 Specific provisions.**
- 17.43.040 Landscape Plans and Submittal for Landscape Designs Not Subject to the Model Water Efficient Landscape Ordinance.**
- 17.43.050 Certificate of occupancy.**
- 17.43.060 Maintenance of landscaping.**
- 17.43.070 Water Efficient Landscape Standards**
- 17.43.080 Water Efficient Landscape Ordinance: Applicability**
- 17.43.090 Water Efficient Landscape Ordinance: Landscaping, Irrigation and Grading Plan**
- 17.43.100 Water Efficient Landscape Ordinance: Water Efficient Landscape Worksheet**
- 17.43.110 Water Efficient Landscape Ordinance: Soil Management Report**
- 17.43.120 Water Efficient Landscape Ordinance: Landscape Design Plan**
- 17.43.130 Water Efficient Landscape Ordinance: Irrigation Design Plan**
- 17.43.140 Water Efficient Landscape Ordinance: Grading Design Plan**
- 17.43.150 Water Efficient Landscape Ordinance: Certificate of Completion**
- 17.43.160 Water Efficient Landscape Ordinance: Irrigation Scheduling**
- 17.43.170 Water Efficient Landscape Ordinance: Irrigation Maintenance, Audit and Analysis**
- 17.43.180 Definitions**

**17.43.010 Purpose.**

To provide reasonable requirements and standards for landscaping along public rights-of-way and within parking lots. The provisions of this chapter are intended to accomplish the following:

- a. To promote an attractive visual environment.
- b. To promote a transition between land uses.
- c. To encourage visual harmony between the landscape and the development.
- d. To conserve water.
- e. To reduce energy consumption in buildings by proper plant selection and placement and to decrease high summer temperature by blocking heat and glare.
- f. To screen offensive or unattractive areas from public view.
- g. To enforce provisions of the State of California's Model Water Efficient Landscape ordinance.

**17.43.020 General provisions.**

- a. These regulations apply to all new construction involving commercial, industrial, public, institutional and multiple family residential development. Landscape areas containing over 2,500 square feet must comply with the provisions of the Model Water Efficient Landscape standards (see Section 17.43.070). Projects shall also incorporate recommendations from the Design Guidelines in each particular zone district, as applicable.
- b. These regulations apply to additions to applicable structures which exceed forty percent of the gross floor area or one thousand square feet, whichever is less. All additions constructed after the date of adoption of this ordinance, will accumulate to determine eligibility under this requirement.
- c. These regulations shall apply when a previously unpaved parking area is paved.
- d. Vegetative matter shall cover seventy-five percent of the required landscaped area. Exceptions to this requirement, in unusual situations, may be approved by the zoning administrator on a case by case basis.

Farmersville Zoning Ordinance  
Chapter 43: Landscaping and Irrigation

- e. All planters located adjacent to driveways, loading areas, parking lots and sidewalks shall be protected along the parking lot side with curbs or wheel stops. Alternative treatments may be considered.
- f. Planters containing trees shall be not less than four feet by four feet (inside dimension). All other planters shall be not less than two feet (inside dimension) in width.
- g. Existing trees shall be evaluated as to their suitability for retention.
- h. Existing trees shall be protected by planters with a minimum radius of the drip line of the tree or fifty percent of drip line plus modifications to paved area allowing for aeration and water penetration. Alternative treatments will be considered.
- i. All landscaped areas shall be provided with an "in the ground" or drip irrigation system.
- j. A fence or wall when used for required screening shall be seventy-five percent opaque.
- k. When wood, masonry, or metal are used for fencing or screening, plants are required every five feet along the barrier.
- l. Trash enclosures shall be screened and designed as approved by the city.
- m. One tree shall be planted at least every thirty-five feet along a public right-of-way. The maximum spacing between trees shall be equal to the mature spread of the trees selected. Special consideration may be given to variety and spacing of trees as they relate to proposed signing of the property.
- n. Trees shall be equivalent to 15 gallon can size or larger when planted.
- o. Shrubs shall be equivalent to one gallon can size or larger when planted.
- p. All open industrial storage areas shall be screened from all public rights-of-way and adjacent commercial or residential properties to a height of six feet. Screening may be modified or waived for security reasons with the concurrence of the planning director and the police chief.
- q. Landscape designs which do not meet the specific regulations of this chapter may be approved by the zoning administrator if in his opinion the design meets the intent and purpose of this chapter as set forth in Section 17.43.010.

- r. Landscaping materials shall be contained so as not to spill into the public right-of-way.
- s. Landscaping shall be installed as approved by the city.
- t. Landscaping shall be maintained in a healthy and attractive condition.

**17.43.030 Specific provisions.**

- a. Sight Distance.
  - 1. No foliage or structural features shall extend into the cross-visibility area between three and one-half feet and seven feet above the surface of the public sidewalk.
- b. Cross visibility:
  - 1. Intersection of Driveways and Public Rights-of-Way. A triangle having one side ten feet long and running along the driveway and one side twenty feet long and running along the public right-of-way, said length beginning at their intersection and the third side formed by a line connecting the two ends.
  - 2. Intersection of Two Public Rights-of-Ways. A triangle having two sides "x" feet long and running along each public right-of-way, said length beginning at their intersection and the third side formed by a line connecting the two ends.
    - (a). R and UR zones: x equals twenty feet.
    - (b). C-2 zone: No requirement.
    - (c). C-1, C-3, G zones: x equals twenty feet.
    - (e). M zones: x equals twenty feet.
  - 3. Off-Street Parking Areas. Landscaping shall be provided in all off-street parking areas, consistent with the standards in Chapter 17.45 (Parking and Loading)

**17.43.040 Landscape Plans and Submittal for Landscape Designs Not Subject to the Model Water Efficient Landscape Ordinance.**

- a. Plan. Except where required by the Model Water Efficient Landscape Ordinance, three sets of landscape plans at an appropriate scale shall be submitted showing:
  1. Property lines and public utility easements;
  2. Dimensions;
  3. Structures, streetlights, poles, transformers, etc.;
  4. Irrigation system and estimated water usage per month;
  5. Trash enclosures;
  6. Existing natural features, including trees to be retained and buildings on adjoining parcels;
- b. Grading plan, including:
  1. Finished planter elevations,
  2. Grade differentials with adjoining properties,
  3. Retaining walls, if any,
  4. Location of on-site trench drains,
  5. Percentage of grade of any mounds;
- c. Plant list, including:
  1. Botanical and common names,
  2. Identification tags for each different species,
  3. Quantities of each species,
  4. Container sizes,
  5. Mature spread and height of trees and shrubs,

6. Rate of growth (fast, moderate, slow);
  7. Shade coverage and interior landscaping coverage calculations.
- d. Approval. Landscape plans must be approved by the planning director prior to issuance of a building permit and work completed prior to occupancy.

**17.43.050 Certificate of occupancy.**

No certificate of occupancy shall be issued for any project for which landscaping is required pursuant to Section 17.43.020, or as required by the planning commission, until all landscaping and improvements shown on the approved plans have been completed. The building official may issue a temporary certificate of occupancy, where completion of the landscaping work is delayed because of adverse weather or the season of the year, upon execution of an agreement with the city and providing a cash deposit or letter of credit in an amount equal to the cost of completing the work. If landscaping differs from that shown on the approved plans, as built plans shall be submitted and approved prior to occupancy.

**17.43.060 Maintenance of landscaping.**

All required landscaping and structural features, whether in existence on the effective date of this title or installed after said date, shall be maintained in a healthy and attractive condition. Maintenance shall include but is not limited to watering, fertilizing, weeding, cleaning, pruning, trimming, spraying and cultivating. For purposes of enforcement, the occupant of the property, whether he be the owner, lessor or tenant, shall be responsible for such maintenance. In the case of a vacant building the owner shall be responsible for such maintenance. Replacement of dead, dying or damaged plants, shrubs and trees shall be in conformance with the original approved landscape plan. Prior to the reoccupancy of a building with existing landscaping all portions of damaged or defective irrigation systems, dead, dying or damaged turf, plants, shrubs and trees shall be replaced. Any significant alteration of an approved installed landscaping installation (such as the removal of mature trees) shall be approved by the Planning Director. Removal of mature trees may only be approved if the tree is dead, in danger of causing bodily harm (by falling or dropping limbs) or damaging property.

**17.43.070 Water Efficient Landscape Standards**

The purpose of this section is to provide for local landscaping, irrigation and grading regulations that are consistent with the State of California's Model Water Efficient Landscape Ordinance.

**17.43.080 Water Efficient Landscape Ordinance: Applicability**

This section shall apply to landscape projects that involve new construction for public agency projects and private development projects with a landscaped area equal to or greater than 2,500 square feet and which require a building or landscape permit, plan check or design review.

**17.43.090 Water Efficient Landscape Ordinance: Landscaping, Irrigation and Grading Plan**

The landscaping, irrigation and grading plan shall contain the following elements:

- a. Project Information
  1. Date
  2. Project Applicant
  3. Project Address
  4. Total landscaped area
  5. Project type
  6. Water supply type
  7. Project Contacts
  8. Applicant signature and date with statement, "I agree to comply with the requirements of the water efficient landscape ordinance"
- b. Water Efficient Landscape Worksheet.
  1. Hydrozone information table.
  2. Water budget calculations.
- c. Maximum applied water allowance (MAWA)
- d. Estimated total water use (ETWU)
- e. Soil management report
- f. Landscape design plan
- g. Irrigation design plan
- h. Grading design plan.

**17.43.100 Water Efficient Landscape Ordinance: Water Efficient Landscape Worksheet**

A project applicant shall complete the Water Efficient Landscape Worksheet which contains two sections:

- a. A hydrozone information table for a landscape project (see State of California's Model Landscaping Ordinance).
- b. A water budget calculation for the landscaped project (see State of California's Model Landscaping Ordinance). The water budget calculations shall adhere to the following:
  1. The plant factor shall use the following ranges: 0 to .3 for low water use plants; from .4 to .6 for moderate water use plants; and from .7 to 1.0 for high water use plants.
  2. All water features shall be include in the high water use hydrozone and temporary irrigated areas shall be included in the low water use hydrozone.
- c. The maximum applied water allowance shall be calculated using the following equation:

$$\text{MAWA} = (\text{ETo})(.62) [.7 \times \text{LA}] + (.3 \times \text{SLA}), \text{ where:}$$

- MAWA = maximum applied water allowance,
- ETo = Evapotranspiration in inches per year;
- LA= landscaped area; and
- SLA = special landscaped area.

**17.43.110 Water Efficient Landscape Ordinance: Soil Management Report**

In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the project applicant as follows:

- a. Soil samples shall be submitted to a laboratory for analysis and recommendations.
  1. Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.

2. The soil analysis may include soil texture, infiltration rate, pH, total soluble salts, sodium, percent organic matter and recommendations.
- b. The applicant shall comply with the following:
1. If significant mass grading is not planned, the soil analysis report shall be submitted to the local agency as part of the Certificate of Completion.
  2. The soils analysis report shall be made available to the professional preparing the landscape design plans and irrigation design plans to make any necessary adjustments to the design plans.

**17.43.120 Water Efficient Landscape Ordinance: Landscape Design Plan**

For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project. A landscape design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.

- a. A landscape design plan shall contain the following:
1. Delineate and label each hydrozone by number, letter, or other method.
  2. Identify each hydrozone as low, moderate, high water, or mixed use water. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation.
  3. Identify recreation areas.
  4. Identify areas permanently and solely dedicated to edible plants.
  5. Identify areas irrigated with recycled water.
  6. Identify type of mulch and application depth.
  7. Identify soil amendments, type and quantity.
  8. Identify type and surface area for water features.
  9. Identify hardscapes, pervious and impervious.
  10. Identify location and installation details of any applicable stormwater best management practices that encourage on-site retention and infiltration of stormwater. Stormwater best management practices are encouraged in the landscape design plan and examples include, but are not limited to:

Farmersville Zoning Ordinance  
Chapter 43: Landscaping and Irrigation

- (a) Infiltration beds, swales, and basins that allow water to collect and soak into the ground.
  - (b) Constructed wetlands and retention ponds that retain water, handle excess flow, and filter pollutants.
  - (c) Pervious or porous surfaces that minimize runoff.
11. Identify any applicable rain harvesting or catchment technologies.
12. Bear the signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape.
- b. Any plant may be selected for the landscape, providing the Estimated Total Water Use (ETWU) in the landscaped area does not exceed the Maximum Applied Water Allowance ((MAWA). To encourage the efficient use of water, the following is highly recommended:
- 1. Protection and preservation of native species and natural vegetation.
  - 2. Selection of water-conserving plant and turf species.
  - 3. Selection of plants based on disease and pest resistance.
  - 4. Selection of trees based on applicable local tree ordinances or tree shading guidelines.
  - 5. Selection of plants from local and regional landscape program plant lists.
- c. Each hydrozone shall have plant materials with similar water use.
- d. Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. To encourage the efficient use of water, the following is highly recommended:
- 1. Use the Sunset Western Climate Zone System which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate.
  - 2. Recognize the horticultural attributes of plants to minimize damage to property or infrastructure.
  - 3. Consider the solar orientation for plant placement to maximize summer shade and winter solar gain.

- e. Turf is not allowed on slopes greater than 15 percent where the toe of the slope is adjacent to an impermeable hardscape.
- f. The use of invasive and/or noxious plant species is strongly discouraged.
- g. Recirculating water systems shall be used for water features.
- h. Where available, recycled water shall be used as a source for decorative water features.
- i. Pool and spa covers are highly recommended.
- j. A minimum of two inches of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications.
- k. Stabilizing mulching products shall be used on slopes.
- l. Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected.

**17.43.130 Water Efficient Landscape Ordinance: Irrigation Design Plan**

For the efficient use of water, an irrigation system shall meet all the requirements listed in this section. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan meeting the following criteria shall be submitted as part of the Landscape Documentation Package.

- a. The irrigation design plan shall contain:
  - 1. Location and size of separate water meters for landscape.
  - 2. Location, type and size of components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices.
  - 3. Static water pressure at the point of connection to the public water supply.
  - 4. Flow rate, application rate, and design operating pressure for each station.

Farmersville Zoning Ordinance  
Chapter 43: Landscaping and Irrigation

5. The signature of a licensed landscape architect, certified irrigation designer, Licensed landscape contractor or any other person authorized to design an irrigation system.
  - b. Dedicated landscape water meters are highly recommended on landscape areas larger than 5,000 square feet to facilitate water management.
  - c. Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data shall be required for irrigation in all irrigation systems.
  - d. The irrigation system shall be designed to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.
    1. If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the irrigation system.
    2. Static water pressure, dynamic or operating pressure, and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.
  - e. Sensors, either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems as appropriate for local climatic conditions. Irrigation should be avoided during windy, rainy, or freezing weather.
  - f. Manual shut-off valves shall be required as close as possible to the point of connection of the water supply to minimize water loss in case of an emergency or routine repair.
  - g. Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system.
  - h. High flow sensors that detect and report high flow conditions created by system damage or malfunction are recommended.
  - i. Check valves or auto-drain valves are required for all irrigation systems.
  - j. Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.

- k. Where feasible, trees shall be placed on separate valves from shrubs, groundcovers and turf.

**17.43.140 Water Efficient Landscape Ordinance: Grading Design Plan**

For the efficient use of water, a grading plan for a project site shall be designed to minimize soil erosion, runoff and water waste. A grading plan shall be submitted as part of the Landscape Documentation Package. A comprehensive grading plan shall be prepared by a civil engineer.

- a. The grading design plan shall include the following:
  - 1. Height of graded slopes
  - 2. Drainage patterns
  - 3. Pad elevations
  - 4. Finished grade
  - 5. Stormwater retention improvements, if applicable.
- b. To prevent excessive erosion and runoff, it is highly recommended that the project applicants grade so that all irrigation and normal rainfall remains within the property lines and does not drain onto impervious hardscapes, avoid disruption of natural drainage patterns and undisturbed soils, and avoid soil compaction in landscaped areas.

**17.43.150 Water Efficient Landscape Ordinance: Certificate of Completion**

- a. The Certificate of Completion shall include the following elements.
  - 1. Date
  - 2. Project name
  - 3. Applicant name, telephone and mailing address
  - 4. Project address and location
  - 5. Property owner name, telephone, and mailing address

6. Certification by either the signer of the landscape design plan, signer of the irrigation plan or the licensed landscape contractor that the landscape project has been installed per the approved Landscape Documentation Package.
- b. The project applicant shall submit the signed Certificate of Completion to the City Planner for review. The Planning Director shall approve or deny the Certificate of Completion. The applicant may appeal the Planning Director's decision consistent with Chapter 17.07 (Appeals).

**17.43.160 Water Efficient Landscape Ordinance: Irrigation Scheduling**

For the efficient use of water, all irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health. Irrigation schedules shall meet the following criteria.

- a. Irrigation shall be regulated by automatic controllers.
- b. Overhead irrigation shall be scheduled between 8:00 p.m. and 10:00 a.m. unless weather conditions such as rain or freezing temperatures prevent it.
- c. For implementation of the irrigation schedule, particular attention must be paid to irrigation run times, flow rate, and current reference evapotranspiration so that applied water meets the Estimated Total Water Use (ETWU). Actual irrigation schedules shall be regulated by automatic irrigation controllers using current reference evapotranspiration data or soil moisture sensor data.
- d. Parameters used to set the automatic controller shall be developed and submitted for each of the following:
  1. The plant establishment period.
  2. The established landscape.
  3. Temporary irrigated areas.
- e. Each irrigation schedule shall consider for each station all of the following that apply:
  1. Irrigation intervals, days between irrigation
  2. Irrigation run times, hours or minutes per irrigation event
  3. Number of cycle starts required for each irrigation event

4. Amount of water to be applied on a monthly basis
5. Application rate setting
6. Root depth setting
7. Plant type setting
8. Soil type
9. Slope factor setting
10. Shade factor setting.

**17.43.170 Water Efficient Landscape Ordinance: Irrigation Maintenance, Audit and Analysis**

- a. Landscapes shall be maintained to ensure water use efficiency. A regular maintenance schedule shall be submitted with the Certificate of Completion.
- b. All landscape irrigation audits shall be conducted by a certified landscape irrigation auditor.
- c. All landscape irrigation audits shall be conducted by a certified landscape irrigation audit.

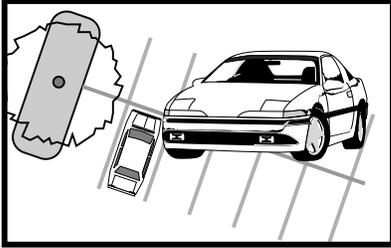
**17.43.180 Definitions**

- a. “Anti-Drain Valve (Check Valve)” shall mean a valve located under a sprinkler head to hold water in the system so it minimizes drainage from the low elevation sprinkler heads.
- b. “Automatic Controller” shall mean a mechanical or solid timer, capable of operating valve stations to set the days and length of time of a water application for irrigation.
- c. “Backflow Prevention Device” shall mean a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from an irrigation system.
- d. “Landscaping” shall mean the addition of lawns, trees, plants, and other natural and decorative features to land.

Farmersville Zoning Ordinance  
Chapter 43: Landscaping and Irrigation

- e. “Rain Sensing Device” shall mean a system which automatically shuts off an irrigation system during periods of rain.

## CHAPTER 45



# Auto and Bicycle Parking and Loading

### Sections

<b>17.45.010</b>	<b>Purpose</b>
<b>17.45.020</b>	<b>General Requirements</b>
<b>17.45.030</b>	<b>Number of Parking Spaces Required by Use</b>
<b>17.45.040</b>	<b>Parking Lot Design Standards and Location Criteria</b>

### 17.45.010 Purpose

The purpose of this chapter is to provide parking, bicycle and loading regulations for new and expanded development and land uses in Farmersville. This chapter will also serve to:

1. Provide accessible, attractive, secure, and well-maintained parking (auto and bicycle) and off-street loading facilities;
2. Provide parking and loading facilities that are designed to reduce traffic congestion;
3. Minimize the impact of new development on parking and loading facilities on surrounding properties;
4. Ensure the maneuverability of emergency vehicles in parking facilities and provide for loading and delivery services in proportion to the needs generated by the proposed land use which are clearly compatible with adjacent parcels and the surrounding neighborhood.

**17.47.020 General Requirements**

- a. No building shall be constructed, or use established unless off-street auto and bicycle parking and loading spaces are provided in accordance with the provisions of this chapter unless otherwise exempted by this chapter.
- b. When an existing use or building is enlarged and requires additional parking and loading under the provisions of this chapter, said improvements shall be provided on the subject site or the developer shall provide an in lieu parking fee consistent with the provisions in this chapter.
- c. For every ten auto parking spaces provided for commercial and industrial uses the project shall provide one bicycle parking space.
- c. For uses not listed in this chapter, the Planning Director shall determine a parking and loading standard for the use based on the operational, size and locational characteristics of the use and the standards that similar cities apply to said use.
- d. Fractional space requirements shall be rounded up when the fractional number is 0.5 or more and shall be rounded down when the fractional number is less than 0.5.
- e. In any residential district, all inoperable motor vehicles shall be stored in a garage, carport or outside of the front yard setback area.

**17.45.030 Number of Parking Spaces Required**

The minimum number of parking spaces (or stalls) required for new uses or buildings or the expansion of existing buildings or uses are detailed below, except that the number of on-site parking spaces required for uses in the “CD” (Downtown Commercial) may be reduced by up to 50% of the parking requirement for the particular use, as shown in this chapter.

 <b>1. <u>Residential Uses</u></b>		
<u>Number</u>	<u>Use</u>	<u>Number of Spaces Required</u>
a.	Single Family Residence	2 covered parking spaces. Spaces shall be situated side by side (tandem parking is not permitted)
b.	Accessory Dwelling Unit	One space
c.	Junior Accessory Dwelling Unit	No requirement
d.	Multi-family units:	
	One bedroom and studio units and units that qualify as affordable	One space per unit
	Two or more bedroom units	1.5 spaces per unit plus one guest space per five units
e.	Emergency Shelter	One space per employee on the maximum shift
f.	Group care housing	One space per employee on the maximum shift. There shall be no parking requirement for Group Care Housing within one half mile of a transit stop.
g.	Transitional housing	One space per employee on the maximum shift. There shall be no parking requirement for Transitional Housing within one half mile of a transit stop.

 <b>1. <u>Residential Uses</u></b>		
<b><u>Number</u></b>	<b><u>Use</u></b>	<b><u>Number of Spaces Required</u></b>
h.	Single Room Occupancy (SRO) units:	One space per bedroom. There shall be no parking requirement for SRO units within one half mile of a transit stop.
i.	Labor camps:	one stall per living unit
j.	Nursing homes:	One space per employee on the maximum shift. There shall be no parking requirement for Nursing Homes within one half mile of a transit stop.
k.	Convalescent home:	One space per employee on the maximum shift. There shall be no parking requirement for Convalescent Homes within one half mile of a transit stop.
l.	Family and group day care homes:	one stall for every three beds
m.	Senior housing:	One space per employee on the maximum shift. There shall be no parking requirement for Senior Housing within one half mile of a transit stop.
n.	Mobile home parks:	two covered stall per unit; tandem parking permitted, plus one guest space per five mobile homes
o.	Trailer parks:	one stall per trailer pad
p.	Motels and hotels:	one stall per room

 <b>2. <u>Offices</u></b>		
<b><u>Number</u></b>	<b><u>Use</u></b>	<b><u>Number of Spaces Required</u></b>
a.	Medical and dental offices:	one stall per 250 sq. ft. of building area, plus one bicycle space per ten vehicle spaces.
b.	Professional offices, including insurance, specialized consultants, law, travel, real estate, accountants, financial advisors and architects:	one stall per 250 sq. ft. of building area, plus one bicycle space per ten vehicle spaces.

 <b>3. <u>Personal Services</u></b>		
<b><u>Number</u></b>	<b><u>Use</u></b>	<b><u>Number of Spaces Required</u></b>
a.	Banks, savings and loan, check cashing, credit unions, and similar offices:	one stall per 200 sq. ft. of building area, plus one bicycle space per ten vehicle spaces:
b.	Self-service laundry:	one stall for every three machines, plus one bicycle space per ten vehicle spaces
c.	Barber/beauty shops, day spas, massage therapists, hair stylists, tattoo/piercing shops:	two stalls per station, plus one bicycle space per ten vehicle spaces.
d.	Funeral home, mortuaries:	one stall for every 50 sq. ft. of building area



#### 4. General Commercial Uses

<u>Number</u>	<u>Use</u>	<u>Number of Spaces Required</u>
a.	Retail stores including clothing, shoes, stationary, sporting goods, kitchen wares, gift shops, book stores and beauty supplies:	one stall per 350 sq.ft. of building area, plus one bicycle space per ten vehicle spaces.
b.	Convenience stores:	one stall per 200 sq. ft. of building area, plus one bicycle space per ten vehicle spaces.
c.	Furniture, hardware and appliance stores:	one stall per 600 sq. ft. of building area, plus one bicycle space per ten vehicle spaces.
d.	Grocery stores:	one stall per 300 sq. ft. of building area, plus one bicycle space per ten vehicle spaces.
e.	Antique and second-hand shops:	one stall per 350 sq. ft. of building area, plus one bicycle space per ten vehicle spaces.
f.	Auto parts stores:	one stall per 500 sq. ft. of building area, plus one bicycle space per ten vehicle spaces.



#### 5. Eating and Drinking Establishments

<u>Number</u>	<u>Use</u>	<u>Number of Spaces Required</u>
a.	Coffee and tea establishments, candy shops and bakeries:	one stall per 100 square feet of building area, plus one bicycle space per ten vehicle spaces.
b.	Restaurants (other than fast food):	one stall per four seats, plus one bicycle space per ten vehicle spaces.



## 5. Eating and Drinking Establishments

<u>Number</u>	<u>Use</u>	<u>Number of Spaces Required</u>
c.	Fast food restaurants	one stall per 100 sq. ft. of building area, plus one bicycle space per ten vehicle spaces.
d.	Donut shops	one stall per 100 square feet of building area, plus one bicycle space per ten vehicle spaces.
e.	Sandwich shops and delicatessens	one stall per 100 square feet of building area, plus one bicycle space per ten vehicle spaces.
f.	Sports bars	One stall per three seats, plus one bicycle space per ten vehicle spaces.



## 6. Automotive Uses

<u>Number</u>	<u>Use</u>	<u>Number of Spaces Required</u>
a.	Tire, brake, radiator, and auto repair shops:	one stall per 200 square feet of building area.
b.	Multi-tenant auto-related shops:	one stall per 200 square feet of building area.
c.	Full-service car washes:	one stall per 200 sq. ft. of building area.
d.	Self-service car washes:	one parking stall per bay
e.	New/Used-car sales:	one parking space for each two employees during the time of maximum employment, plus one parking space for each two thousand (2,000) square feet of lot and building area used for the display or storage of automobiles.



## 6. Automotive Uses

<u>Number</u>	<u>Use</u>	<u>Number of Spaces Required</u>
f.	Oil change shops:	one stall per bay.
g.	Service stations:	one stall per 300 sq. ft. of building area.
h.	Auto glass, upholstery and stereo shops:	one stall per 200 sq. ft. of building area.
i.	Paint and body shops:	one stall per 200 square feet of building area.
j.	Wholesale establishments:	one stall per 600 sq. ft. of building area.



## 7. Recreational Uses

<u>Number</u>	<u>Use</u>	<u>Number of Spaces Required</u>
a.	Health clubs:	one stall per 100 sq. ft. of building area, plus one bicycle space per ten vehicle spaces.
b.	Bowling alleys:	one stall per 100 sq. ft. of building area, plus one bicycle space per ten vehicle spaces.
c.	Dance and martial arts studios:	one stall per 100 sq. ft. of building area, plus one bicycle space per ten vehicle spaces.
d.	Golf courses	1.5 stalls per tee plus one stall for every four seats, plus one bicycle space per ten vehicle spaces.
e.	Stadiums, arenas, and other outdoor facilities:	one stall for every five seats, plus one bicycle space per ten vehicle spaces.
f.	Video arcades:	one stall per 100 sq. ft. of building area, plus one bicycle space per ten vehicle spaces.

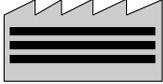


## 7. Recreational Uses

<u>Number</u>	<u>Use</u>	<u>Number of Spaces Required</u>
g.	Rodeo and equestrian facilities:	one stall for every five seats, plus one bicycle space per ten vehicle spaces.
h.	Miniature golf course:	1.5 stalls per tee, plus one bicycle space per ten vehicle spaces.

## 8. Miscellaneous Commercial Uses

<u>Number</u>	<u>Use</u>	<u>Number of Spaces Required</u>
a.	Retail nursery/garden shops:	one stall for every 1,000 sq. ft. of outdoor display area, plus one bicycle space per ten vehicle spaces.
b.	Agricultural Chemicals/Sales:	one stall per 500 sq. ft. of building area.
c.	Agricultural Services, including topping, farming operations, trucking, farm maintenance, spraying, agricultural contractors, and contract farming:	one stall per 500 sq. ft. of building area.
d.	Farm machinery, sales and service:	one stall per 500 sq. ft. of building area.

 <h2 style="display: inline;">9. <u>Industrial Uses</u></h2>		
<u>Number</u>	<u>Use</u>	<u>Number of Spaces Required</u>
a.	Manufacturing:	one stall per 500 sq. ft. of building area, plus one bicycle space per ten vehicle spaces
b.	Mini-storage:	two stalls plus one stall for every 250 sq. ft. of building area in the office
c.	Warehousing:	one stall per 1,000 sq. ft. of building area, plus one bicycle space per ten vehicle spaces
d.	Packing house:	one stall per 750 sq. ft. of building area, plus one bicycle space per ten vehicle spaces.

 <h2 style="display: inline;">10. <u>Institutional Uses</u></h2>		
<u>Number</u>	<u>Use</u>	<u>Number of Spaces Required</u>
a.	Churches:	one stall per four seats, plus one bicycle space per ten vehicle spaces.
b.	Nursery and pre-schools:	one stall per classroom plus one stall for every 250 sq. ft. of nonclassroom building area, plus one bicycle space per four students.
c.	Elementary and middle schools:	one stall per two classrooms plus one stall per staff member, plus one bicycle space per four students.
d.	High schools:	three stalls for every two staff members, plus one bicycle space per four students.
e.	Colleges:	one parking space for each employee plus ten parking spaces for each classroom, plus one bicycle space per four students.



10. Institutional Uses

<u>Number</u>	<u>Use</u>	<u>Number of Spaces Required</u>
f.	Libraries, museums and art galleries:	one stall per 500 sq. ft. of building area, plus one bicycle space per ten vehicle spaces.
g.	Hospitals:	one stall per bed, plus one bicycle space per ten vehicle spaces



11. Governmental Uses

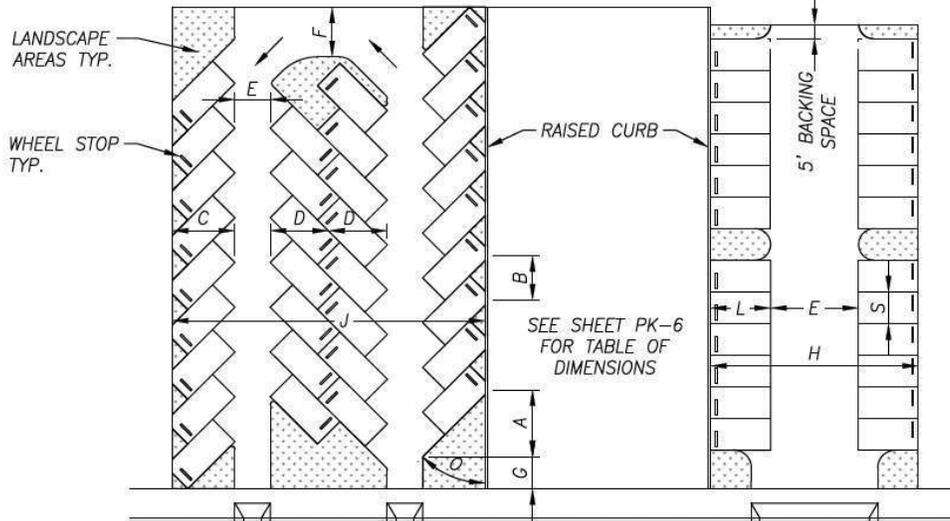
<u>Number</u>	<u>Use</u>	<u>Number of Spaces Required</u>
a.	Governmental offices:	one stall per 400 sq. ft. of building area, plus one bicycle space per ten vehicle spaces.
b.	Courthouses:	one stall per 400 sq. ft. of building area, plus one bicycle space per ten vehicle spaces.
c.	Public safety buildings:	one stall per 400 sq. ft. of building area, plus one bicycle space per ten vehicle spaces.
d.	Corporation, transportation and fuel yards:	one stall per employee on the maximum shift plus visitor stalls
e.	Water treatment facilities and wastewater treatment facilities:	one stall per 400 sq. ft of building area

**17.45.040 Parking Lot Design Standards and Location Criteria**

a. Design Dimensions

Parking lots shall be designed to be consistent with the standards, dimensions and requirements of the details contained in Exhibit 45-1. The construction of parking lots shall also be consistent with the standards contained in Farmersville's Improvements Manual.

**Exhibit 45-1: Parking Design**



**NOTES:**

1. PARKING LOT STRUCTURAL SECTION SHALL CONSIST OF 3 INCHES MINIMUM OF ASPHALT CONCRETE OVER 6 INCHES MINIMUM OF CLASS 2 AGGREGATE BASE, OVER 6 INCHES MINIMUM OF COMPACTED SUBGRADE TO 95% RELATIVE COMPACTION. DESIGN STRUCTURAL PAVING SECTION TO TRAFFIC INDEX OF 5.5 MINIMUM FOR SOLID WASTE TRUCK TRAVEL PATH. CITY PARKING LOT PAVEMENT SHALL BE DESIGNED PER STREET SECTION REQUIREMENTS STANDARD DRAWINGS.
2. MINIMUM SLOPE OF ASPHALT CONCRETE SURFACE SHALL BE 2%.
3. A LANDSCAPED ISLAND SHALL BE INSTALLED EVERY 10 SPACES.
4. MINIMUM AMOUNT OF LANDSCAPED AREA SHALL BE 5% TOTAL AREA.
5. ACCESSIBLE ROUTES SHALL BE PROVIDED TO THE CITY STREET RIGHT OF WAY, TO BUILDINGS, AND FACILITY ARRIVAL POINTS.

TABLE OF DIMENSIONS IN FEET

Q	S	L	A	B	C	D	E	F	G	H	J
0°	8.0	22.0	0.0	22.0	8.0	8.0	12.0		5.0	28.0	
	8.0	24.0	0.0	24.0	8.0	8.0	11.0		5.0	27.0	
	8.0	26.0	0.0	26.0	8.0	8.0	10.0		5.0	26.0	
30°	9.0	19.0	30.0	18.0	17.3	13.4	9.0		6.0	43.6	
45°	9.0	19.0	19.8	12.7	19.8	16.6	10.0	16.0	9.0	49.6	92.8
	9.5	19.0	20.1	13.4	20.1	16.7	9.5	16.5	8.5	49.7	92.6
	10.0	19.0	20.5	14.1	20.4	16.9	9.0	17.0	8.0	49.8	92.6
60°	9.0	19.0	12.1	10.4	21.0	18.8	17.0	15.0	12.0	59.0	113.6
	9.5	19.0	12.3	11.0	21.3	18.9	15.5	15.0	11.5	58.1	111.4
	10.0	19.0	12.4	11.5	21.5	19.0	14.0	15.0	11.0	57.0	109.0
90°	.0	19.0	0.0	9.0	19.0	19.0	25.0	20.0	5.0	63.0	126.0
	9.5	19.0	0.0	9.5	19.0	19.0	24.0	20.0	5.0	62.0	124.0
	10.0	19.0	0.0	10.0	19.0	19.0	23.0	20.0	5.0	61.0	122.0

b. Circulation

Parking lots shall be designed so that backing into a public street from a parking stall shall be minimized in order to maintain effective traffic flow along the public street. Single family dwellings will be exempt from this requirement. The use of alleys to access parking lots is encouraged.

Commercial parking lots shall be designed to allow for cross parcel access (to the extent practical) to preclude vehicles from having to travel onto the street to access adjacent parcels.

Except where noted otherwise, tandem parking is not permitted.

c. Paving, Slope and Drainage

All parking lots shall be constructed with a 4-inch aggregate base and a 2-inch asphalt or concrete overlay, described in the Farmersville Improvements Manual. Parking lots shall be sloped so that storm water runoff flows towards public streets or alleys, into on-site landscape planters or bioswales or into pervious hardscape features.

d. Curbing and Wheel Stops

Concrete curbing shall be provided around all parking lots and landscape planters consistent with the Farmersville Improvements Manual. Wheel stops may be provided in parking stalls to ensure that the overhang of a vehicle does not interfere with pedestrian movements along a sidewalk, or damage landscaping adjacent to the parking lot.

e. Striping and Symbols

Parking lot stalls and travel lanes shall be clearly marked with painted strips. Parking stalls for handicapped persons shall be striped and provided with the appropriate symbols and signage that are consistent with the American Disabilities Act (Exhibit PK-1 from the Farmersville Improvements Manual).

f. Lighting

All parking lots shall have pole lighting that property illuminates the parking lot but does not cause a nuisance for adjoining properties.

g. Driveways

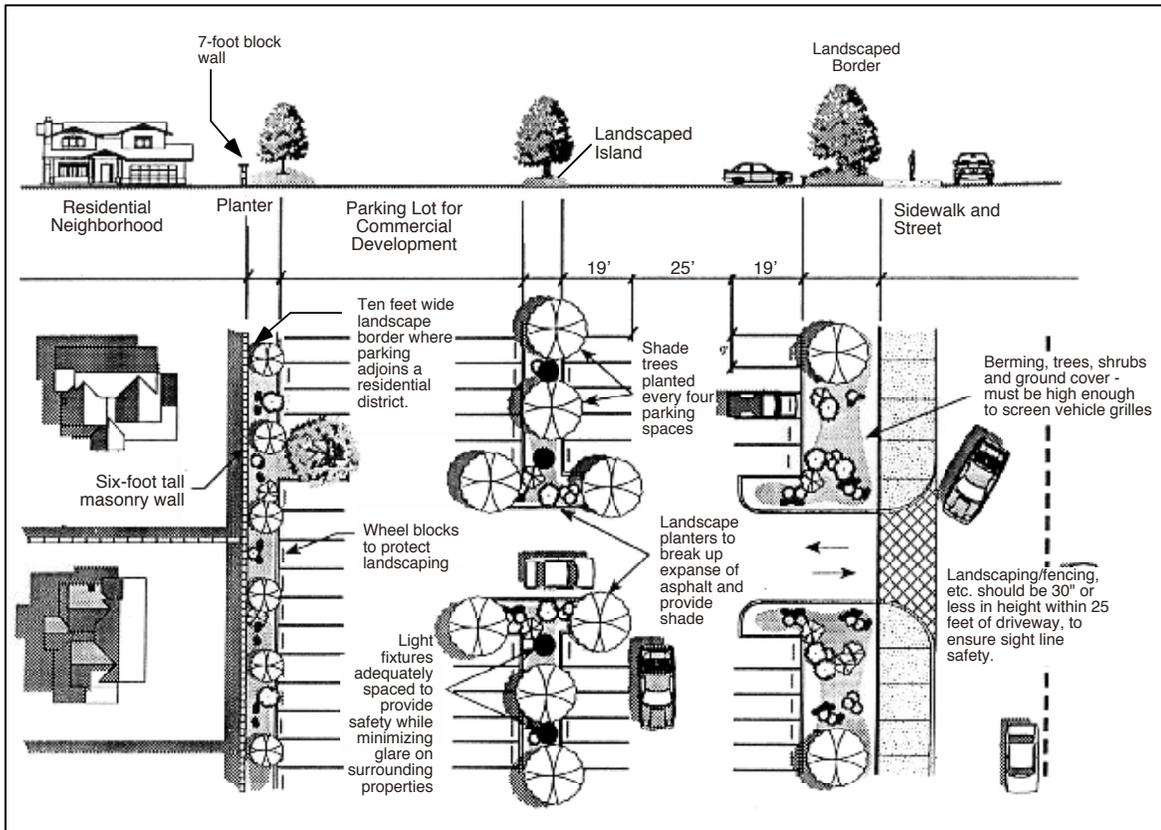
Driveways from a public street or alley shall have locations and dimensions consistent with the Farmersville Improvements Manual. For one-way driveways the width of the

driveway shall be at least 15 feet; two-way driveways shall have a minimum width of 25 feet.

h. Landscaping (see also Exhibit 45-2)

All parking lots shall be landscaped in accordance with the requirements in Chapter 17.43 (Landscaping and Irrigation). Trees shall be planted within all parking lots. Tree species shall be selected that will not cause damage to the parking lot or adjacent sidewalks, driveways or curbing, and will shade more than 50 percent of the parking lot within ten years. Landscape planters between the parking lots and public streets shall be planted with low hedges. As an alternative, a low wall (three feet) may be constructed and shrubs, turf or ground cover may be planted between the wall and the street.

**Exhibit 45-2: Typical Parking Lot Landscaping Scheme**



i. Location Criteria

Parking lots shall be located on the same property as the building they serve, except that parking for buildings in the Downtown Commercial (CD) district may be located within 300 feet of the subject property. In the CD district, parking lots shall be located at the

rear or side of the subject building. Parking lots shall not be located on the corner where two streets intersect.

j. Shared Parking

Where two or more non-residential uses share a single parking lot, the number of required parking spaces may be reduced by a maximum of 20 percent, as long as the total number of spaces is not less than the required for the use requiring the largest number of spaces.

Where non-residential uses share a single parking lot and it can be demonstrated that the uses operate at different times of the day (an evening use versus a day-time use), the required number of parking spaces may be reduced by up to 50 percent of the combined parking requirements of the two uses.

k. Parking in Lieu Fee

For development in the downtown (generally defined as the area along Farmersville Boulevard between Visalia Road on the south and the San Joaquin Valley railroad on the north) the City may establish an in-lieu parking fee, whereby uses that cannot provide required parking on site can pay the City a fee for the City to use to purchase and develop public parking facilities within the area. The fee shall be established based on a study performed by the City Engineer, and adjusted annually.

l. Bicycle Parking

Commercial, industrial and public uses are subject to the following bicycle parking standards:

1. Short-term bicycle parking. If the project will generate frequent visitor traffic (such as fast food restaurants, banks, convenience stores, supermarkets and similar uses) the project shall provide a permanently anchored bicycle rack within 50 feet of the visitors' entrance.
2. Acceptable bicycle parking facilities shall be convenient from the street and may include:
  - (a) Bicycle parking space size (eight feet long, three feet wide)
  - (b) Bike rack type (should be U-lock compatible).
  - (c) Bicycle parking shall be safe, visible, and convenient.

m. Parking Standard Modifications

Parking space requirements may be modified through Farmersville's minor deviation process. A reduction of up to 20 percent in a project's required parking spaces may be approved by the Planning Director if the following findings can be made:

1. That the granting of the minor deviation will not create a safety hazard or lead to a condition where the loading of public vehicles onto public streets will interfere with the free flow of traffic on these streets.
2. That the granting of the minor deviation will not create a safety hazard of any other condition inconsistent with the objectives of the Zoning Ordinance.

n. Handicapped Parking Spaces

Handicapped parking stalls shall be provided per the Uniform Building Code. Handicapped parking stalls shall be designed consistent with the illustrations shown in the Farmersville Improvements Manual.

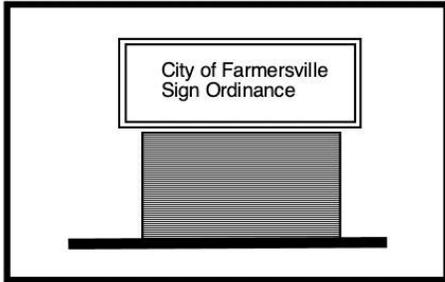
o. Loading Facilities

1. Commercial, industrial, office, institutional, and public uses exceeding 10,000 square feet in size shall be required to install an off-street loading facility unless the Planning Director finds that due to the operational nature of the use, none or more than one off-street loading space should be required.
2. To the extent possible, loading facilities should be located at the rear or side of the building that they are to serve.
3. As practical, streets and alleys shall not be used as loading or unloading areas, nor should trucks use streets and alleys for maneuvering trailers into a loading or parking space.
4. Loading facilities, at a minimum, shall have a length of 25 feet, a width of 12 feet, and an overhead clearance of 14 feet. All loading surfaces shall be paved consistent with Farmersville's Improvements Manual.
5. Where a loading facility is near or adjacent to a residential district or other noise-sensitive land uses, noise attenuating design measures will be incorporated into the project. These design measures may include increased setback distances, the construction of a 7-foot solid block wall,

landscaping or locating the loading facilities away from noise-sensitive land uses.

6. All loading facilities shall be lighted to provide adequate illumination of the loading area for safety and security reasons. Where a loading area is near or adjacent to a residential district or other light-sensitive uses, the lighting shall be directed away from these uses.

## CHAPTER 47



# The Zoning Ordinance

### Sections

- 17.47.010 Purpose**
- 17.47.020 Applicability**
- 17.47.030 Standards by Zone District**
- 17.47.040 Miscellaneous Signs**
- 17.47.050 Design Criteria**
- 17.47.060 Prohibited Signs and Locations**
- 17.47.070 Exempted Signs**
- 17.47.080 Murals**
- 17.47.090 Non-Conforming Signs**
- 17.47.100 Administration**
- 17.47.110 Minor Deviations**
- 17.47.120 Definitions**

### **17.47.010 Purpose**

The purpose of this Section is to establish procedures for regulating signs, including the type, size, location and construction standards of signs by zone district. Signs have an obvious impact on the character and quality of the City. As a prominent part of the visual environment, they attract or repel the viewing public, affect the safety of vehicular traffic and their suitability or appropriateness helps to set the tone of the neighborhood. The objectives of this Section include the following:

- A. To reinforce that the sign should serve primarily to identify the general nature of an establishment or to direct attention to a project, activity, place, person, organization, or enterprise.
- B. As identification devices, signs must not subject the citizens of the City to excessive competition for their visual attention. As appropriate identification devices, signs must harmonize with the building, the neighborhood, and other signs in the area.

- C. The City of Farmersville intends to encourage the installation of signs that improve the appearance of the property and the neighborhood and to enhance the economic effectiveness of signs.
- D. The provisions in this section provide standards to safeguard life, health, property, and public welfare in keeping with the character of the City of Farmersville by regulating the size, height, structural design, quality of materials, construction location, electrification, illumination and maintenance of all types of signs and sign structures.
- E. The provisions in this section present criteria indicating whether or not signs conform to the above intentions of suitability and safety.

**17. 47.020 Applicability**

No sign shall be erected, placed, established, painted, created, or maintained in the City which is not in conformance with the standards, procedures, and other requirements of these provisions. All signs erected within the City boundaries shall be subject to the sign application procedures within these provisions. The regulations in this chapter are in addition to those set forth in the California Building Code, the California Electrical Code and the 1997 Uniform Sign Code, as adopted, and any amendments made thereto by the city, and the nuisance provisions in the Farmersville City Code.

**17. 47.030 Standards by Zone Districts**

Signs permitted by zone district are listed as follows

- A. Residential (R-1, R-M), U-R (Urban Reserve) O-S (Open Space) and P-QP (Public Quasi-Public) zone districts.

Unlighted signs and other commercial advertising shall be permitted in residential districts only as provided in this section.

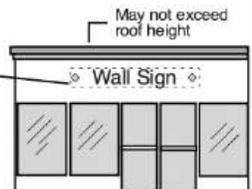
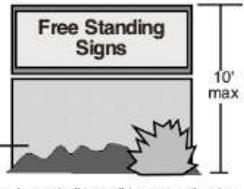
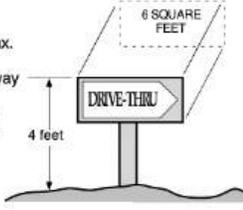
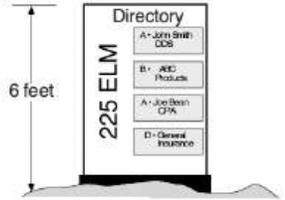
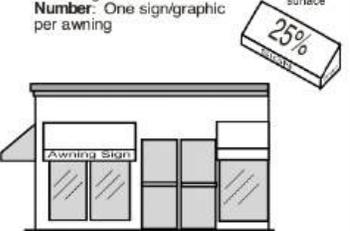
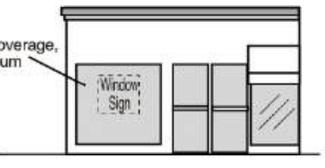
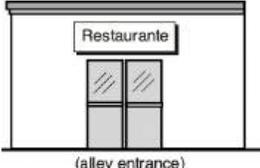
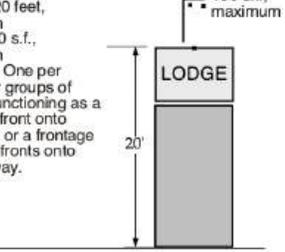
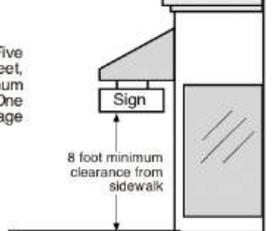
- 1. Name plates shall be permitted subject to the following conditions.
  - a. Maximum size: two square feet;
  - b. Content: Name plates may display the following information
    - i. Name of the premises upon which it is displayed

Farmersville Zoning Ordinance  
Chapter 47: Signs and Advertising

- ii. Name of the owner or lessee of the premises
  - iii. Address of the premises
  - iv. Nature of a home occupation engaged in on the premises
  - v. Private information such as “beware of dog” or “no solicitors”, that does not contain an advertising message.
- c. Placement: Name plates shall be affixed flush to the subject building
2. “For Rent” and “For Sale” signs shall be permitted. Not more than two such signs, not exceeding a total of six square feet (aggregate) in area, shall be permitted on any lot or parcel.
3. For subdivisions, apartment complexes and mobile home parks, churches and other permitted institutional uses, no more than one sign shall be erected at any entrance to the development. Signs shall not exceed 35 square feet for all readable surfaces, nor exceed six feet in height.
- B. Commercial and Industrial Zone Districts (C-G, C-C, C-S, CH, I and IL)

The following signs are permitted for each business in commercial and industrial districts (see also Exhibit 47-1 for graphic illustration of standards for various sign types). For multi-tenant shopping centers or office parks containing three or more individual uses, a coordinated sign program shall be submitted for review and approval by the Planning Director.

Exhibit 47-1: Selected Commercial Sign Standards

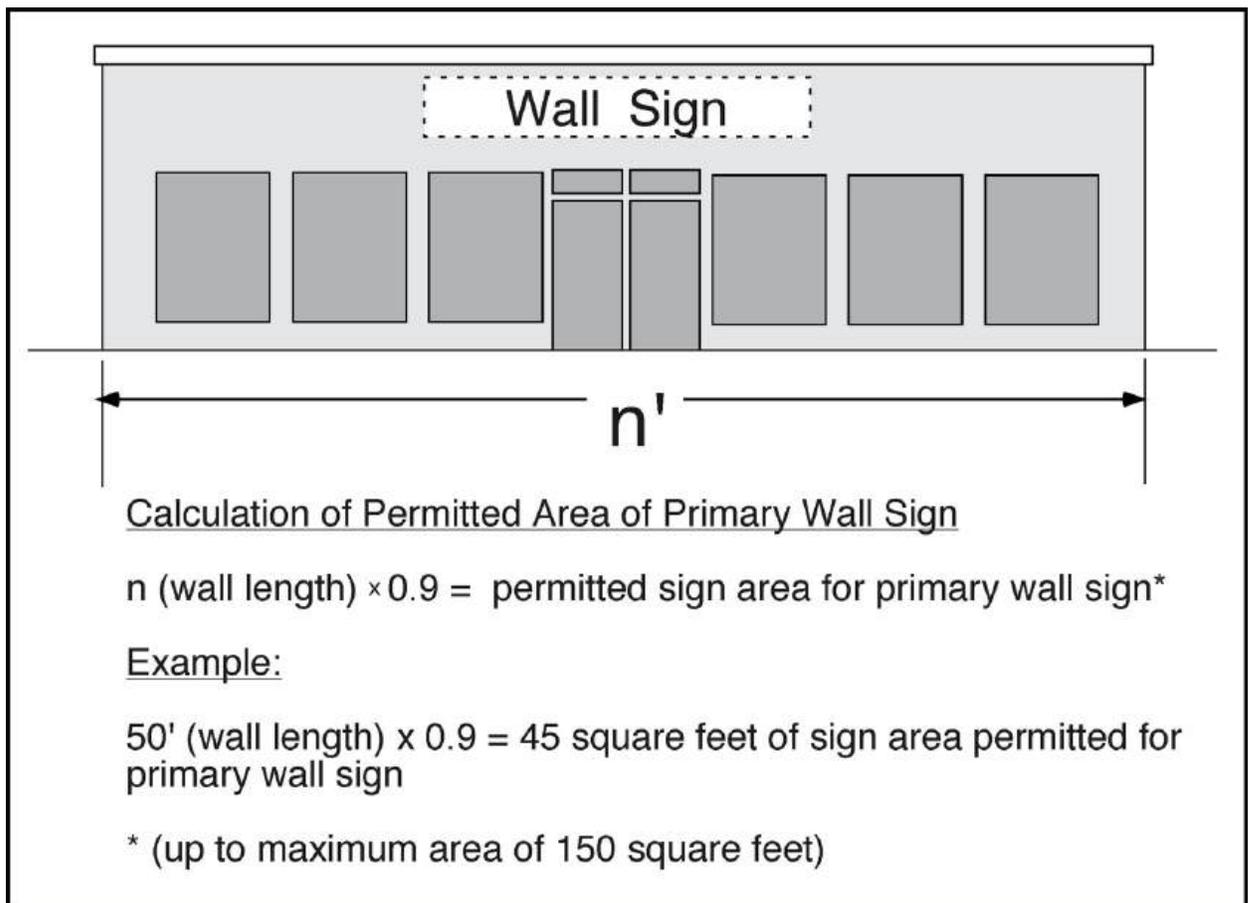
<p><b>1. Wall Signs</b></p> <p><b>Area:</b> 0.9 s.f. per lineal occupancy frontage, up to 150 s.f. for primary sign. Signs on secondary walls may be no larger than primary sign size</p> <p><b>Number:</b> The resulting maximum sign size may be divided among multiple signs on the primary wall. Secondary sign(s) permitted for other walls facing a street or parking lot on the site.</p> 	<p><b>2. Free Standing Signs</b></p> <p><b>Height:</b> 10 feet, max</p> <p><b>Area:</b> 35 square feet, max.</p> <p><b>Number:</b> One sign per parcel (or groups of parcels functioning as a unit) for each 1,000 feet of street frontage. Parcels on corner lots may have one sign per street frontage.</p> <p>To be set back 5 feet from interior property lines</p> <p>Sign base shall be solid construction (no pole signs) and have a landscaped base</p> 	<p><b>3. Directional Signs</b></p> <p><b>Height:</b> 4 feet max.</p> <p><b>Area:</b> 6 s.f., max.</p> <p>One per driveway</p> <p>No further than five feet from a driveway.</p> 
<p><b>4. Directory Signs</b></p> <p><b>Area:</b> 35 feet, maximum</p> <p><b>Height:</b> 6 feet, maximum</p> <p>No closer than five feet to property line or driveway</p> 	<p><b>5 Temporary Signs</b></p> <p><b>Banner Signs</b></p> <p><b>Number:</b> One per business</p> <p><b>Area:</b> 50 s.f., maximum</p> <p><b>Height:</b> May not exceed roof height</p> <p><b>Time:</b> 30 days per calendar year, maximum</p> <p><b>Sandwich Board</b></p> <p><b>Area:</b> 3' wide by 4' tall, maximum</p> <p><b>Time:</b> During business hours</p> <p><b>Number:</b> one per business</p> 	<p><b>6. Projecting Signs</b></p> <p><b>Height:</b> May not project above roofline</p> <p><b>Area:</b> One square foot per lineal occupancy foot up to 50 s.f.</p> <p><b>Number:</b> One permitted per business only when a wall sign is not used</p> <p>May project no more than 2/3 distance to curb</p> <p>8 foot clearance from sidewalk</p> 
<p><b>7. Canopy/Awning Signs</b></p> <p><b>Area:</b> Not to exceed 25% of the awning surface upon which sign is mounted</p> <p><b>Number:</b> One sign/graphic per awning</p> <p>25% of each awning surface</p> 	<p><b>8. Window Signs</b></p> <p><b>Area:</b> Not to exceed 25% of the window surface upon which sign is mounted</p> <p>25% coverage, maximum</p> 	<p><b>9. Alley-side Signs</b></p> <p><b>Area:</b> Up to 25 square feet of sign area, maximum</p> <p><b>Number:</b> One sign per parcel. Business must have a public alley entrance</p> 
<p><b>10. Freeway Signs</b></p> <p><b>Height:</b> 20 feet, maximum</p> <p><b>Area:</b> 100 s.f., maximum</p> <p><b>Number:</b> One per parcel (or groups of parcels functioning as a unit) that front onto Hwy. 198 or a frontage road that fronts onto the highway.</p> 	<p><b>11. Pedestrian Signs</b></p> <p><b>Area:</b> Five square feet, maximum</p> <p><b>Number:</b> One per frontage</p> <p>8 foot minimum clearance from sidewalk</p> 	<p><b>12. Open Air Sales (vehicles/ equipment)</b></p> <p>Open area sales uses, such as automobile sales are permitted additional ten square feet of sign area for every 5,000 s.f. of site area.</p>

1. Building wall signs
  - a. Number of signs per business. The number of wall signs permitted per business or parcel is as follows:
    - i. In general, one sign is permitted for the building wall with the primary public entrance. However, where a building wall is proposed for multiple signs for a specific business, the size of all the signs combined shall not exceed that provided by the sign area calculation as shown in 17. 49.030 B.1.b. Further, multiple signs shall be placed in a well-proportioned manner, relative to each sign and the space (wall) on which they are mounted.
    - ii. Where the site abuts a public street and the primary wall sign is on a wall not facing the street, a secondary wall sign is permitted on the wall facing the street.
    - iii. If the site has a parking lot and a building wall faces the parking lot and that wall does not have a wall sign permitted under i. or ii, above, a secondary wall sign is permitted on the wall facing the parking lot. Not more than one such parking lot sign is permitted.
    - iv. For businesses fronting onto a public alley, one alley wall sign is permitted for the wall that faces onto the alley.
  - b. Calculation of Wall Sign Area:
    - i. For a primary wall sign, 0.9 square foot of sign area is permitted for each foot of linear occupancy frontage, as shown in Exhibit 47-1, up to a maximum of 150 square feet of sign area, whichever is less. The permitted area may be divided among multiple signs on the subject primary wall. Notwithstanding this regulation, all businesses shall be permitted a minimum of 25 square feet of primary wall sign.
    - ii. Where a wall sign is permitted on secondary building walls, the maximum sign area shall be no greater than the permitted sign area of a primary sign.
    - iii. For an alley wall sign, the maximum sign area shall be 25 square feet.
    - iv. For multi-tenant buildings, each tenant shall be permitted one sign mounted on the wall with the

primary entrance, except for corner units which may be permitted a primary wall sign and a secondary wall sign.

- c. Maximum Height: Not to exceed the top of the vertical wall surface on which the sign is mounted. Signs mounted on a pitched roof may not extend the peak of the ridge line of the roof. No sign is permitted on the top of a flat-roofed structure.
- d. Permit. A sign permit shall be obtained for all wall signs, consistent with the procedure outlined in Section 17.47.100 of this Section.

**Exhibit 47-2: Permitted Wall Sign Area**



2. Free-Standing Signs.
  - a. Maximum Height: Ten feet.
  - b. Maximum Area: 35 square feet per sign face.
  - c. Sign Design: Free standing signs shall be designed as a monument sign with a solid base extending the entire height of the sign.
  - d. Number per parcel: One free-standing sign is permitted per parcel (or collection of parcels functioning as a single integrated development) for each 1,000 feet of street frontage, or fraction thereof, except that parcels with frontage on more than one public street shall be permitted one free-standing sign for each 1,000 lineal feet of frontage (or fraction thereof) on each street.
  - e. Setbacks: A free standing sign shall be set back a minimum of 5 feet from any interior side property line. Encroachment into a setback may be permitted by the Planning Director where the location of existing improvements presents a functional hardship in compliance with the required setback.
  - f. Landscaping. All freestanding signs shall be surrounded by landscaping of an area at least twice the size of one side of the sign structure.
  - g. Permit. A sign permit shall be obtained for all free-standing signs, consistent with the procedure outlined in Section 17.47.100 of this Section.
  
3. Directional Signs.
  - a. Maximum height: 4 feet
  - b. Maximum Area: 6 square feet
  - c. Number per site: one per driveway from a public street
  - d. Location: Directional signs shall be placed within five feet of a driveway that accesses the site from a public street. Placement of directional signs shall ensure the sight safety of vehicles entering/leaving a site is not compromised.
  - e. Permit. A sign permit shall be obtained for all directional signs, consistent with the procedure outlined in Section 17.47.100 of this Section.
  
4. Directory Signs.
  - a. Number per site: one per public vehicle and/or pedestrian entrance to the site

Farmersville Zoning Ordinance  
Chapter 47: Signs and Advertising

- b. Maximum Area: 35 square feet.
  - c. Maximum Height (if freestanding): 6 feet.
  - d. Location: No directory sign which is a freestanding sign may locate closer than 5 feet to any neighboring property line or closer than three feet to any point of ingress/egress.
  - e. Permit. A sign permit shall be obtained for all directory signs, consistent with the procedure outlined in Section 17.47.100 of this Section.
5. Temporary/Portable Signs.
- a. Banners
    - i. Number of signs: One banner sign is permitted per business.
    - ii. Maximum Height: Not to exceed roof line of nearest building or building affixed to but in no case higher than 30 feet. Banner signs shall not be attached to existing free-standing signs
    - iii. Maximum Area: 50 square feet.
    - iv. Permitted Time: Banner signs may not be utilized for more than 30 days per calendar year. The banner shall include a date visibly noted on the sign and be removed within 30 days of the posted date.
    - v. Temporary signs used to identify a business shall be removed within thirty days and replaced with a permanent sign.
    - vi. Permit. A sign permit shall be obtained for all banner signs, consistent with the procedure outlined in Section 17.47.100 of this Section.
  - b. Sandwich board signs
    - i. Maximum Height and Width: Three feet wide and four feet tall, maximum.
    - ii. Maximum Area: 12 square feet
    - iii. Number per business: One
    - iv. Location: May be placed on the business site as long as conflicts with vehicle safety are not caused. May also be placed on the public sidewalk adjacent to the business with approved encroachment permit, but must permit a minimum of four feet of passage area on sidewalk.
    - v. Permitted Display Time: During business hours.

vi. Permit. A sign permit shall be obtained for all sandwich board signs, consistent with the procedure outlined in Section 17.47.100 of this Section.

c. Changeable message signs.

A business that enters into an agreement with the City to not use temporary signs may be permitted a changeable message sign to be incorporated into its free-standing monument sign, or as a building wall sign, provided that the overall sign area for the business is not increased (see Exhibit 47-3).

6. Projecting Signs.

- a. Maximum Height and Projection: Not to exceed roof line of wall or structure to which projecting sign is attached. (Note: Bottom of sign shall be a minimum of 8 feet from ground to provide proper clearance.).
- b. Number per business: One, but a projecting sign is permitted only where a wall sign is not used on the same wall.
- c. Calculation of Area: 0.5 square foot of sign area for each lineal foot of building frontage of the business to which sign pertains.
- d. Maximum Area: 20 square feet.
- e. Location: Projecting signs may extend over public rights-of-ways including public sidewalks not to exceed two-thirds of the distance from the building face to which the sign is attached to the curb face of said sidewalk.
- f. Permit. A sign permit shall be obtained for all projecting signs, consistent with the procedure outlined in Section 17.47.100 of this Section.

7. Awning/Canopy Signs.

- a. Number of signs: Where an awning is present, a sign may be affixed to the awning.
- b. Maximum Area: The area of signage on each surface of an awning shall not exceed 25% of the area of the individual surface.
- c. Location: Awning signs shall be made of removable materials such as individual cut-out letters and/or symbols attached, stenciled or other wise placed on the canopy surface, and may be located on exterior surfaces of a canopy. Canopy signs shall be of color, size and design to harmonize with the color, size and design of the canopy on which they are placed.

- d. Permit. A sign permit shall be obtained for all canopy/awning signs, consistent with the procedure outlined in Section 17.47.100 of this Section.
8. Window Signs

Maximum Area: Up to 25% of the area of each individual window may be covered with a window sign or graphic. No permit is required for window signs.
  9. Alley-Side Signs
    - a. Number of Signs/Sign Area: Any building facing a public alley shall be permitted one alley-side sign with a maximum of 25 square feet of sign area. An alley-side sign may be in the form of either a wall-sign, awning sign, or projecting sign.
    - b. Height. Alley side signs may not project above the wall on which they are mounted.
    - c. Permit. A sign permit shall be obtained for all alley-side signs, consistent with the procedure outlined in Section 17.47.100 of this Section.
  10. Freeway-Oriented Free-Standing Signs.
    - a. Maximum Height: 20 feet.
    - b. Maximum Area: 100 square feet of sign copy per sign face.
    - c. Number of signs: Commercial parcels that front onto a freeway, or onto a frontage road abutting the freeway right-of-way are permitted one freeway-oriented free standing sign. Businesses on adjoining parcels are encouraged to cluster signs on one freeway-oriented sign. Where a site located on a frontage road adjacent to a freeway would be permitted a separate free-standing sign and a second freestanding freeway-oriented sign, only one free-standing sign shall be permitted, subject to the height and area standards for freeway-oriented free-standing signs.
    - d. Location: Limited to parcels adjacent to the State Highway 198 freeway or to a frontage road that abuts the freeway right of way.
    - e. Permit. A sign permit shall be obtained for all freeway-oriented signs, consistent with the procedure outlined in Section 17.47.100 of this Section.

11. "For Sale", "For Rent", or similar signs
  - a. Number of signs: One sign shall be permitted per street frontage.
  - b. Size: 32 square feet, per sign.
  - c. Height: maximum of 6 feet.
  - d. Permit. None required.
  
12. Pedestrian Signs
  - a. Number of signs: One pedestrian oriented sign that projects or hangs above a sidewalk on each side of a building with a public entrance.
  - b. Size: Each sign may be a maximum of 5 square feet in size and may hang or be suspended no lower than eight feet above grade level
  - c. Permit. A sign permit shall be obtained for all pedestrian signs, consistent with the procedure outlined in Section 17.47.100 of this Section.
  
13. Service Station Canopy Signs
  - a. Number of signs: One sign is permitted on each canopy face.
  - b. Size: Ten square feet, maximum per canopy face
  - c. Design. Additional graphic elements, such as color stripes associated with the particular brand shall not be permitted on service station canopies
  - d. Permit. A sign permit shall be obtained for all service station canopy signs, consistent with the procedure outlined in Section 17.47.100 of this Section.
  
14. Incidental traffic control signage in parking lots within private developments
  - a. Number of signs and size: As determined to be necessary by the City Engineer
  
15. Special Uses Standards
  - a. Open Air Sales

In addition to the sign area permitted under this section, ten square feet of additional sign area is permitted for every 5,000 square feet of site area for vehicle and large equipment sales operations. The additional signage may be used to increase the allowable area for wall signs and freestanding signs, except that height shall not be increased for freestanding signs.

b. Drive-through menu boards.

No more than two drive-through menu/order boards are permitted for each food and/or beverage establishment featuring a drive-through. Each sign shall not exceed 40 square feet and be no taller than 8 feet.

**17.47.040 Miscellaneous Signs**

A. Construction Project Signs

Construction project signs shall not exceed 32 square feet in area, and 8 feet in overall height, unless legally required by governmental contract to be larger. One sign is permitted for each street upon which the construction site fronts. A Construction Project Sign shall not require a sign permit and may exist no longer than the period of construction.

B. Subdivision Advertising Signs

1. Time of Placement: Subdivision signs may require a sign permit and shall be permitted as long as some portion of the property advertised for sale remains unsold or up to two years in duration, whichever is less.
2. Location: Subdivision signs may only be located on the premises which they advertise.
3. Size and Number of Signs: No individual sign may exceed 120 square feet of area and be no taller than ten feet. No more than four separate signs are permitted on the grounds of each subdivision.
4. Model Home Lots: Signs are permitted on the same lot with a model home provided they do not exceed four in number and ten square feet each in area. Signs shall be removed after the developer concludes the initial sale of the lots or homes to their initial owners.

5. Permit: A sign permit shall be obtained for all subdivision signs, consistent with the procedure outlined in Section 17.47.100 of this Section.

**17.47.050 Design Guidelines (see Exhibit 47-3 for illustrations of selected criteria)**

The following flexible guidelines are provided to encourage high quality and attractive signage that will add value to the development and the community.

- A. Design Compatibility: The design of all signs shall be compatible and harmonious with the colors, materials and architecture of the building and the immediate vicinity. Freestanding signs shall be finished with the same or compatible materials as the building on the site.
- B. Size: Notwithstanding applicable sign standards elsewhere in this chapter, sign size shall be proportionate to the size and scale of the site and building upon which the sign is proposed. Sign dimensions as specified in this chapter are maximum allowable dimensions; it may be necessary that signs be smaller than the maximum allowed in order to be proportionate in size and scale to achieve the design objectives of this section.
- C. Where a building wall is proposed for multiple signs for a specific business, the size of all the signs combined shall not exceed that provided by the sign area calculation as shown in 17. 47.030 B.1.b. Further, multiple signs shall be placed in a well-proportioned manner, relative to each sign and the space (wall) on which they are mounted.
- D. Commercial and Industrial Center Signs: Individual tenant signs within multi-tenant centers shall be coordinated in size, location, materials and illumination.
- E. Color: Colors shall be used in coordinated groupings, and shall be compatible with those colors used in the building or project design. For cabinet-style signs, a dark sign background is preferred with light colored copy (characters/graphics).

**Exhibit 47-3: Selected Design Guidelines for Signs**

**1. Design Compatibility**

Signs should be compatible with overall architectural character of the site.



**2. Sign Size**

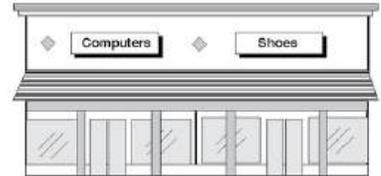
"Don't" (sign out of proportion with building face)



Signs should be well proportioned to the surface on which they are mounted

**3. Shopping Centers**

Signs in multi-tenant shopping centers shall have a consistent design theme



**4. Color**



Colors used in signs should be consistent with the overall color scheme of the site. Dark background material with light colored copy is usually preferred.

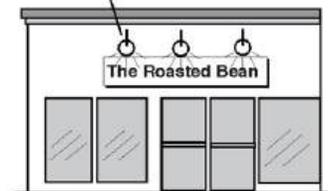
**5 Logos & Trademarks**



Corporate logos and trademarks should be considered in the overall architectural compatibility of the site.

**6. Illumination**

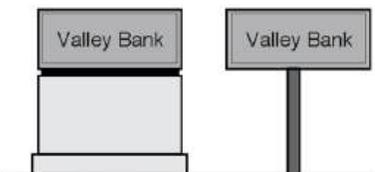
Flood lamps



Signs with exterior illumination are encouraged (versus signs with interior lighting (e.g. cabinet signs))

**7. Sign Base and Frame**

Signs should have a well designed solid base structure that is architecturally compatible with the site

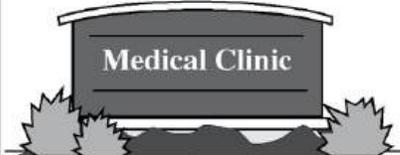


"Do"  
(monument style sign with solid base)

"Don't"  
(pole sign)

**8. Landscaping**

Freestanding signs shall have base area that is landscaped to complement the appearance of the sign. The area of landscaping shall be at least twice that of the area of the sign structure



**9. Sign Copy**

"Don't"

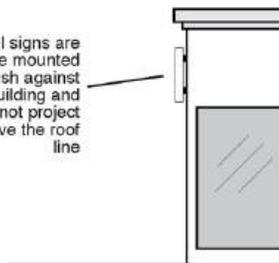
"Do"



Sign on left is crowded with information. Characters and graphics should be simple and well-proportioned.

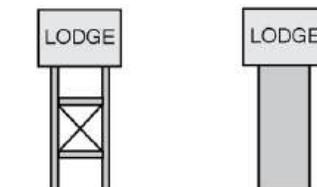
**10. Wall Signs**

Wall signs are to be mounted flush against the building and not project above the roof line



**11. Screening**

Sign support structures are to be concealed from view

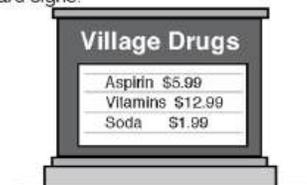


"Don't"

"Do"

**12. Changeable Message Signs**

A changeable message sign (as part of the business' freestanding or wall sign) may be permitted for businesses that agree not to use banner or sandwich board signs.



- F. **Lighting Intensity:** The light emitted or reflected by a sign, or emitted by a light source, shall be of reasonable intensity and shall be compatible with the architecture of the building and the immediate vicinity. Artificial light sources shall be shielded to prevent light spillage, glare or annoyance to persons on or inside adjoining properties or to public or private rights-of-way.
- G. **Sign Bases and Frames:** Freestanding signs shall be either housed in a frame, or set onto a base, presenting a solid, attractive, and well-proportioned appearance. The size and shape of the frame or base shall be proportionate to the size and mass of the sign and should be low-profile in design. Pole type signs are not permitted. Guy wires, angle irons, braces and other support or construction elements shall be screened or hidden from view.
- E. **Logos and Trademarks:** The use of established corporate colors or logos shall not be prohibited by this section. When established corporate colors are incompatible with buildings colors, compatibility
- H. **Landscaping:** Freestanding signs shall be located in a landscaped area proportionate to the size of the sign, but not less than twice the size of one side of the sign face. Appropriate accent landscaping should be placed at the base of the sign.
- I. **Sign Copy:** Sign copy should be simple and concise without excessive description of services or products. On freestanding signs, sign copy should be designed to contribute to the design of the structure on which it is displayed. In all cases, freestanding sign design and sign copy should be coordinated to provide an attractively designed freestanding element which identifies the development or project.
- J. **Wall Signs:** Building signs should be mounted flush against the building, and shall not project above the roof ridge or the top of the parapet.
- K. **Maintenance:** All signs and their supporting members shall be kept in good repair and maintained in good structural condition at all times.
- L. **Design Quality.** All signs shall be professionally designed and manufactured. Signs that utilize hand-made lettering or elements should be avoided.

**17.47.060 Prohibited Signs and Locations**

Prohibited signs are as follows:

- A. Any sign mounted or attached to a vehicle parked for the purpose of calling attention to or advertising a special business establishment;
- B. Any sign or sign structure which has become a public nuisance due to inadequate maintenance, dilapidation, or abandonment;
- C. Any sign which obstructs in any manner the ingress to, or egress from, a door, window, fire escape, or other access way required by building codes adopted by the City of Farmersville;
- D. Any sign unlawfully installed, erected, or maintained;
- E. Any sign now or hereafter existing which no longer advertises a business conducted or a product sold as prescribed in this Chapter;
- F. Any sign which encroaches into any City right-of-way and/or easement, except an approved pedestrian, canopy, wall sign or projecting sign.
- G. Any sign that flashes, blinks, moves, changes color, appears to change color, changes intensity, or contains any part of attachment which does the same except that standard barber poles, time and temperature signs and approved bulletin board signs shall be permitted in commercial and industrial zones if otherwise in compliance with these provisions.
- H. Any unofficial sign, signal or device, or any sign, signal or device which purports to be or is an imitation of, or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic, or which hides from view any official sign or signal.
- I. Any light of any color of such brilliance as to blind or impair the vision of drivers upon any roadway. Further, no light shall be placed in such a position as to prevent the driver of a vehicle from readily recognizing any traffic sign or signal.
- J. Any sign located so that it interferes with visibility at an intersection, public right-of-way, driveway, or other ingress/egress.

- K. Any sign located or displayed on or over public property except as expressly permitted by these provisions, unless approved by the City Council.
- L. Any sign attached to a tree.
- M. Any roof-top mounted sign.
- N. Blimps, balloons or other forms of aerial advertising.
- O. Any sign erected or maintained which has less horizontal or vertical clearance from communication lines and energized electrical power lines than that prescribed by the State, or rules and regulations duly promulgated by agencies thereof.
- P. Off-site signs, advertising structures and billboards
- Q. Portable signs, other than approved banners and sandwich board signs, except for temporary signs for community events as provided for in Section 17.84.070 (G).
- R. Any sign which, in the opinion of the Zoning Administrator, is in conflict with the spirit or intent of this Chapter.
- S. Each temporary sign within any residential zone which is in violation of federal, State or local law, which may include common law and/or any duly enacted statute, ordinance, regulation or rule of any legislative body or governmental agency with proper jurisdiction. Such temporary sign shall constitute a public nuisance which may be abated in accordance with any authority granted under the Farmersville Municipal Code or applicable State law.

**17.47.070 Exempted Signs**

The following signs and devices shall not be subject to the provisions in this Chapter:

- A. Signs placed by a governmental body or public utility, required to be maintained by law.
- B. Memorial tablets or plaques placed by recognized historical agencies.
- C. Flags of the National or State Government.

- D. Traffic or other signs of government agencies, signs required by law or contract with a governmental agency, railroad crossing signs, legal notices, and such temporary emergency or non-advertising signs as may be authorized by the City Council.
- E. Decorations or window signs to celebrate nationally recognized holidays and local celebrations.
- F. Temporary signs not utilized in connection with a commercial land-use which comply with each and all of the following requirements:
  - 1. The temporary sign must be located upon a lot or parcel which is privately owned, with permission of the property owner.
  - 2. The total combined sign face area of all temporary signs upon any one parcel must not exceed thirty-two (32) square feet.
  - 3. The temporary sign must not be attached to trees, rooftops or utility poles, but in accordance with said restrictions may only be posted or displayed from the yard, window, door, balcony or outside wall of a building.
  - 4. Temporary signs must not include nor utilize any artificial lighting device nor be constructed with reflective materials.
  - 5. A temporary sign or portion thereof must not be placed in, upon or over any public right-of-way or upon any city-owned property unless a valid encroachment permit is obtained.
  - 6. A temporary sign must not be erected in violation of any street corner setback requirement, which are established to ensure traffic safety.
  - 7. A temporary sign and associated supporting structure must be maintained in like-new condition, without any observable rips, tears, fading or similar damage which may occur as a result of normal exposure to outdoor conditions and aging.
  - 8. A temporary sign or sign structure which has deteriorated, decayed or which is sagging, leaning, fallen, broken, ripped, torn, faded, defaced or graffitied, or is in some other similar dilapidated or deteriorated condition, must be promptly restored or repaired to a like-new condition or it must be immediately removed.
  - 9. Temporary signs must not exceed a maximum vertical height of six (6) feet for freestanding signs and must not be more than twelve (12) feet above ground level.
- G. Temporary signs placed by recognized non-profit or other community organizations advertising community events. Such signs shall be

limited to 16 square feet in area and no taller than four feet. Only one such sign is permitted per parcel. Said signs shall be erected no more than 14 days before the event and shall be removed no more than seven days after the event.

**17.47.080 Murals**

It is the intent of the City Council, for purposes of promoting the local economy, tourism, and for further purposes of beautifying the City, to adopt standards regarding murals, their location and design.

A. Location

Murals may be located on the sides of buildings and walls on property in any commercial, industrial or public/quasi-public zone district within the City of Farmersville.

B. Mural Design Approval

Prior to painting, installation and execution of a mural, an application shall be submitted to the Planning Department. The application shall include a detailed drawing or sketch of the mural plus other details as prescribed on the application or deemed by Planning Department staff to be pertinent. The Planning Department shall forward the application, with a recommendation, to the Planning Commission. The Commission shall review and approve, approve with modifications, or deny the application as submitted.

C. Criteria for Design of Murals

1. The subject matter of the mural shall be of historical or community significance regarding the growth and development of the City of Farmersville and its surrounding environs or be of such high quality as to be appropriate. A mural shall not contain elements that advertise an existing business or product.
2. The paint to be used shall be appropriate for use in an outdoor locale, for an artistic rendition and shall be of a permanent, long-lasting variety.

3. The design and painting of a mural shall be conducted or supervised by qualified mural artists with sufficient knowledge in the design and painting of such projects.
4. To the extent feasible, the mural shall be vandal and graffiti resistant.

D. Planning Commission Review

A mural shall be processed consistent with the public hearing requirements of a Conditional Use Permit (Section 17.96 of this title), including a public hearing before the Planning Commission.

E. Appeal to City Council

Within ten days of the Planning Commission's decision on a mural, any interested party may appeal a decision of the Planning Commission regarding a mural application. The appeal must be in writing and must be received by the Planning and Building Department within ten days of the action by the Planning Commission. Following public notice and public hearing, the appeal shall be considered by the City Council. Action of the City Council shall be considered final.

F. Mural Design Amendment

Prior to amending an approved mural design (whether painted or not painted), an application for an amendment shall be submitted to the Planning Department. The application shall include a detailed drawing or sketch of the mural, plus other details as prescribed on the application or deemed by staff to be pertinent. The Planning Department shall forward the application, with a recommendation, to the Planning Commission. The Commission shall review and approve, approve with modifications, or deny the application as submitted.

**17.47.090 Non-Conforming Signs**

The lawful use of a sign existing on the effective date of this Chapter, although such use does not conform to the provisions of this Chapter, may be thus continued; provided, however, a non-confirming sign which has been abandoned, or the use for which it is advertised has ceased to function for a period of 90 days or more, shall be brought into conformity with the provisions of this Chapter.

- A. No non-conforming sign shall in any manner (except for face changes) be structurally altered, reconstructed, or moved without being made to comply with the provisions of this Chapter; however, nothing herein shall prohibit the painting, maintenance, or repairing of such sign, including the face and changing of copy.
- B. If, at any time, any sign in existence or maintained on the effective date of this Chapter, which does not conform to the provisions of this Chapter, is destroyed by fire, accident, explosion or act of nature to the extent of more than 50 percent of the value thereof, such sign shall be subject to all the provisions of this Chapter. For the purposes of this Chapter, the value of any sign shall be the estimated cost of replacement of the sign in kind as determined by the Chief Building Official.
- C. The Code Enforcement Officer or his/her designee shall immediately cause the removal of any sign which, in the judgment of the Code Enforcement Officer or the Public Works Director is found to be within the public right-of-way and/or easements and are found to place citizens in immediate peril, by any or a combination of the following methods using sound judgment under the circumstances:
  - 1. Removal or modification of said sign by City staff with business owner (or property owner if business has ceased operations) to be billed for time and materials.
  - 2. Notification orally or in writing to the business owner causing the removal of said signs within a 24-hour period or lesser period of time, as prescribed by the Code Enforcement Officer.
  - 3. Immediate citation of the business owner (or property owner if business has ceased operations) or party responsible for said sign.
- D. Any business that has ceased operations for at least thirty days shall remove all temporary signs and all window signs.

**17.47.100 Administration**

Except for where otherwise stated in this title, no sign may be placed or erected without written approval issued by the Zoning Administrator in the form of a Sign Permit. In addition, building permits shall be required for the erection of signs, except painted, window, or temporary signs, following the issuance of written approval by the Zoning Administrator.

- A. Applications: Applications for sign approval shall be made upon forms provided by the Planning Department. Three sets of sign plans shall be submitted to the Planning Department for review. Sign plans shall include the following:
1. Address of sign location.
  2. Name and phone number of owner and/or applicant.
  3. Name, address, and phone number of contractor or erector.
  4. A site plan shown location of proposed sign(s) on the subject site.
  5. Elevation drawing(s) showing location on building or other structure, including height of sign and any projection from building.
  6. Elevation of sign showing dimensions and materials.
  7. Construction details of typical sections for all proposed signs. In some cases, the building inspector will require that the details are accompanied by the signature of a California licensed engineer or architect.
  8. Sign valuation, and for electric signs, the number of transformers.
  9. Additional information may be required as deemed necessary by the Zoning Administrator, including engineered footing and foundation details for freestanding signs.
- B. Review of Sign Applications. Permission for installation of a sign shall be issued only after review by the Zoning Administrator, or designee, who shall approve, disapprove, or conditionally-approve the sign application on the basis that it conforms to the purpose and the standards of this Chapter.
- C. Appeals. Appeals to this Chapter shall be processed consistent with the process for appeals established in Chapter 17.96 of this title.
- D. Violations. Violations shall be processed consistent with Chapter 90-1055.
- E. Maintenance. All signs and supporting structures shall be kept in good repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly painted and clean. The immediate surrounding premises shall be maintained free of weeds and rubbish. The Zoning Administrator is authorized to order the painting, cleaning or repair of signs which become dilapidated and the cleaning of the immediate premises. Such maintenance shall be completed within thirty days of receiving written notice.

#### **17.47.110 Minor Deviations**

A minor deviation allowing an increase of up to ten percent in permitted sign area standards may be granted by the director upon written request, subject to such conditions as it may impose without any notice, if the Zoning Administrator finds that to do so would not be detrimental to the public welfare or injurious to property and improvements in the area in which the property is located.

##### **A. Findings**

1. Minor Deviation may be granted upon making the following findings:
  - a. There are exceptional or extraordinary circumstances or conditions which apply to the property involved or the existing or intended use of the property which do not apply generally to other properties in the same zoning district.
  - b. Granting of a Minor Deviation will not negatively impact surrounding properties.
2. Appeals. Any decision of the City Planner regarding a Minor Deviation may be appealed to the Planning Commission. Any decision of the Planning Commission may be appealed to the City Council. All appeals shall be accompanied by an appeal fee as required by the City.

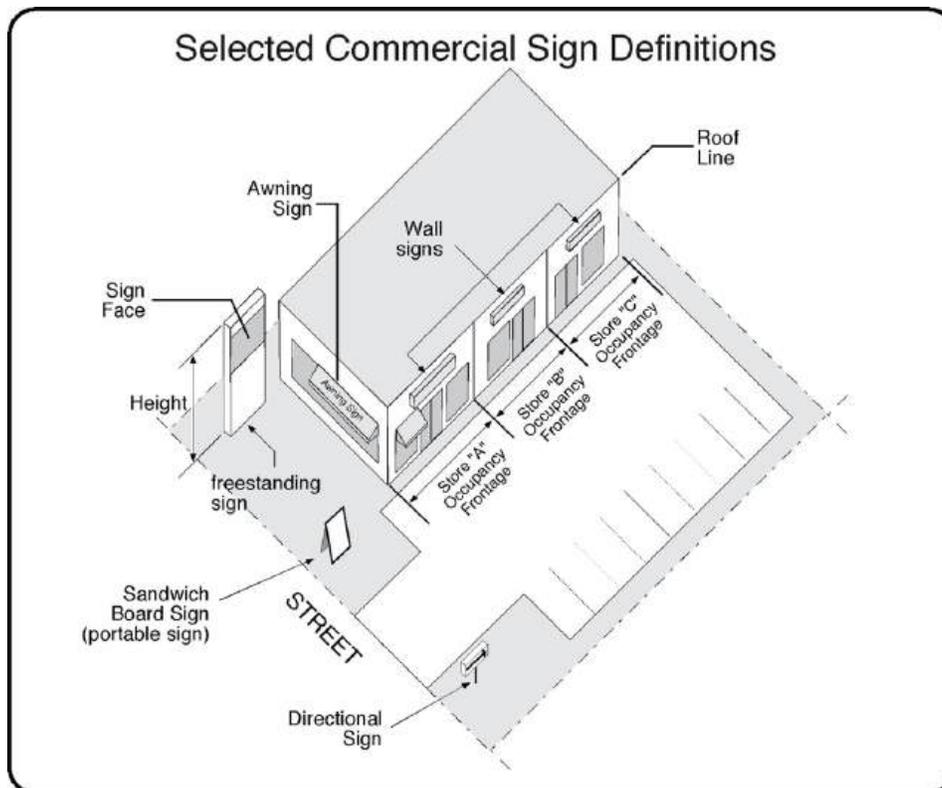
#### **17.47.120 Definitions**

As used in this chapter, the following items are defined in this section. Some terms are illustrated in Exhibits 47-4 and 47-5.

1. **“A-Frame Sign”**. See “Sandwich Board Sign”.
2. **“Advertising Structure”** means any notice or advertisement, pictorial or otherwise, and all such structures used as an outdoor display, including billboards, regardless of size and shape, for the purposes of making anything known, the origin or place of sale of which is not on the property with such advertising structure.
3. **“Aggregate Area”** means the total area of all permanent signs on the premises.
4. **“Alley-Side Sign”** means a sign placed on the wall of a building that faces onto or abuts a public alley.

5. **“Animated Sign”** means a sign with action or motion, whether by flashing lights, color changes, wind, rotation, movement of any parts of the sign or letters or parts of the sign structure, or other motion.
6. **“Awning Sign”** means a sign applied to an awning or canopy that is attached to a building.
7. **“Banner”** means any cloth, bunting, plastic, paper, or similar material attached to, or appended on or from any structure, staff, pole, line, or framing upon which there is an advertising message.
8. **“Building Front”** means the wall of the business with the primary public entrance.
9. **“Canopy Sign”**. See “Awning Sign”.
10. **“Changeable copy sign”** means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a “time and temperature” sign and not a changeable copy sign for purposes of this chapter.
11. **“Copy”** means any graphic, letter, numeral, symbol, insignia, text, sample, model, device, or combination thereof which relates to advertising, identification, or notification.

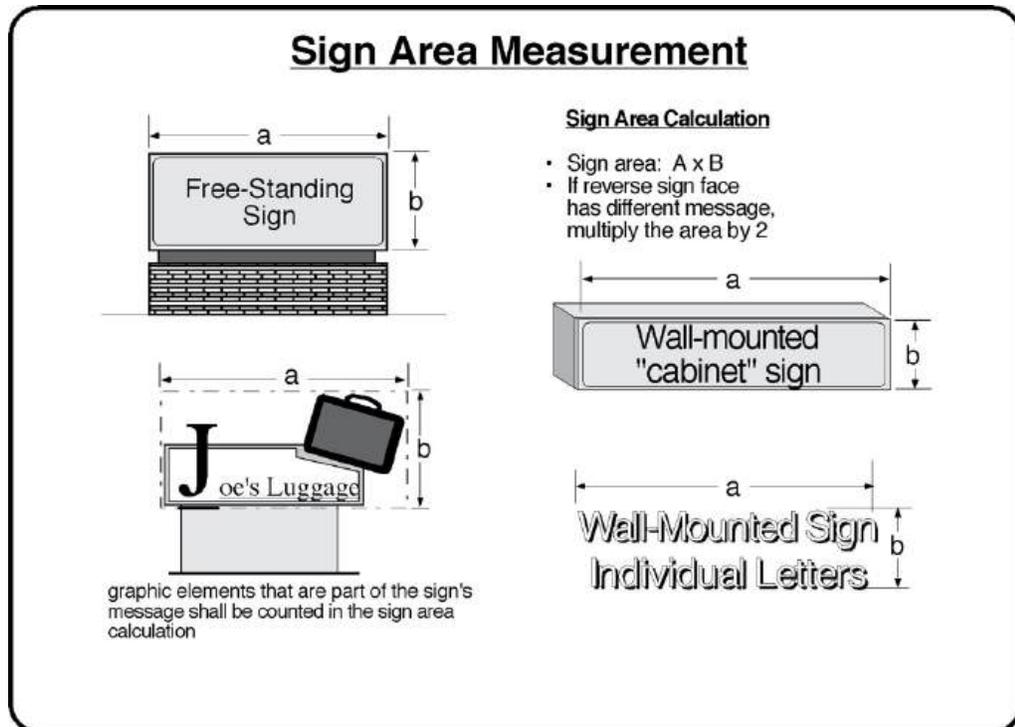
**Exhibit 47-4: Selected Sign Definitions**



12. **“Directional Sign”** means signs giving only information and direction to the viewer and containing no advertising message;
13. **“Directory Sign”** means a sign typically used to list individual businesses in a multi-tenant complex or center.
14. **“Externally illuminated sign”** means a sign which has light cast on its surface from an artificial exterior source installed for the purpose of illuminating the sign;
15. **“Freestanding Sign”** means a sign which is supported by one or more columns, uprights, or braces in or upon the ground.
16. **“Freeway-oriented sign”** means for the purposes of this chapter, any sign that is designed to be visible from at least one direction of State Highway 198 Freeway. This type of sign is permitted only on commercially- or industrially-zoned properties that front directly onto the freeway right-of-way, or which front onto a frontage road that abuts the freeway right of way immediately adjacent to the subject site.
17. **“Height of Sign”** means the vertical distance from the uppermost point used in measuring the area of a sign to ground level of the foundation of the sign.
18. **“Internally illuminated sign”** means any sign whose illumination originates from within the structure of the sign and the source of which is not visible from the exterior of the sign.
19. **“Nonconforming Sign”** means any sign which was lawfully erected or maintained prior to the time of adoption of this title.
20. **“Occupancy Frontage”** means a single lineal dimension measured horizontally along the front of a building which defines the limits of a particular occupancy at that location and which has direct pedestrian access through an exterior wall which is visible from the public right of way.
21. **“Off-premises signs and billboards”** means any sign not located on the same lot or project site as the use, product, or service it advertises.
22. **“Open air use”** means a use (such as vehicle sales) where merchandise or products are displayed or dispensed in the usual course of business from an open lot and not within an enclosed structure.
23. **“Roof line”** means the highest point of a parapet wall or the main roof structure or a highest point of a parapet wall other than such architectural features as cupolas, pylons, projections or minor raised portions of the roof.
24. **“Pedestrian access”** means a doorway which has been designed for the primary use of the patrons or customers of that commercial use.
25. **“Pedestrian oriented sign”** means a sign which is specifically located and designed to be viewed from a pedestrian right-of-way.
26. **“Pennant”** means series of lightweight plastic, fabric, or other materials, suspended from a rope, wire, or string designed to move in the wind. Pennants shall not include banners as defined in this chapter or individual flags mounted on a single pole.
27. **“Political sign”** means a sign advertising a candidate for political office, a political party or a measure scheduled for an election.

28. **"Portable sign"** means a sign which is capable of being carried or moved by manual or mechanical means from one location to another and which is not affixed to the ground, a structure, or a vehicle.
29. **"Projecting Sign"** shall mean a sign that projects from and is supported by a wall or a façade of a building and are also referred to as marquee signs.
30. **"Reader board"** means a sign indicating the name, address and type of business of the businesses within a building.
31. **"Roof Sign"** means a sign erected upon or above a roof or parapet of a building.
32. **"Sandwich Board Sign"** means a portable sign with advertising messages mounted on two surfaces with two edges connected and the other two edges spread so that the two faces read from different directions;
33. **"Setback area"** means the open space area defined in the Farmersville Municipal Code in Chapter 17.67 (Definitions) under the term yard, and where applicable, includes the definitions of yard, rear; yard, front; and yard, side; as defined in said title.
34. **"Shopping center"** means a group of two or more commercial uses planned and designed to function as an integral unit on a single parcel of contiguous parcels and which utilize common off-street parking and access, landscaping, loading facilities and points of ingress and egress.
35. **"Sign"** means any words or symbols used for visual communication including its structure and component parts intended to be used to attract attention to an activity.
36. **"Sign area"** means the geometric area of a sign including all elements such as board or frames, perforated or a solid background, ornamental embellishments, arrows or other sign media. The area of individual signs shall be measured as follows (see also Exhibit 47-5):
  - a. **Sign Faces Counted:** Where a sign has two faces containing sign copy, which are oriented back to back and separated by not more than twenty-four inches at any point, the area of the sign shall be measured using one sign face only.
  - b. **Wall Mounted Letters:** Where a sign is composed of letters individually mounted or painted on a building wall, without a border or decorative enclosure, the sign area is that of the smallest area of a rectangle within which all letters and words can be enclosed.
  - c. **Three-Dimensional Signs:** Where a sign consists of one or more three-dimensional objects such as balls, cubes, clusters of objects, or sculptural or statute-type trademarks, the sign area shall be measured as the area of the smallest rectangle within which the object(s) can be enclosed, when viewed from a point where the largest area of the object(s) can be seen.

**Exhibit 47-5 Sign Area Measurement Methodology**



37. **"Sign copy"** means any words, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign face and/or its structure with the purpose of attracting attention to the subject matter.
38. **"Sign face"** means the panel surface of a sign which carries the advertising or identification message.
39. **"Sign structure"** means any structure which supports or is capable of supporting any sign. A sign structure may or may not be an integral part of a building. For the purpose of a freestanding sign, the sign structure shall include the aggregate area of the sign including the sign copy and all structural elements of the sign.
40. **"Site"** means the length of a site along the street or other principal public thoroughfare, but not including such a length along an alley, watercourse, railroad or freeway.
41. **"Special events sign"** means any sign advertising specific temporary events, such as carnivals, festivals, exhibits, and parades, but not including promotional sales or grand opening signs.
42. **"Structural alteration"** means any change to the sign structure.
43. **"Subdivision"** or "multiple housing entrance sign" means a sign identifying the name of a subdivision or multiple housing projects and consisting of letters or symbols attached to a wall or a fence or freestanding sign located

- within the boundaries of a recorded and developed subdivision or multiple housing projects.
44. **"Temporary sign"** means a sign, other than a portable sign, which is not permanently affixed to either real property or any real property improvement.
  45. **"Temporary subdivision sign"** means a sign erected and maintained within the boundaries of a recorded subdivision and indicating the name of the subdivision, the name of the contractor and/or subdivider, the name of the owner and/or agent, and giving information regarding directions, price or terms concerning the sale or lease of parcels within the subdivision.
  46. **"Wall Sign"** means a sign attached to or erected against the wall or façade of a building or structure with the exposed face of the sign in a plane parallel to the plane of the wall or façade.
  47. **"Wind Sign"** means any display of streamers, pennants, whirligigs or similar devices made of flexible lightweight material, strung together or attached in such a manner as to move by wind pressure.
  48. **"Window Sign"** means a sign mounted within or on a window.

## CHAPTER 49



# Zoning Ordinance Amendments

### Sections

- 17.49.010 Purpose**
- 17.49.020 Boundary Changes**
- 17.49.030 Application and Fees**
- 17.49.040 Public Hearing Notice**
- 17.49.050 Public Hearing**
- 17.49.060 Action of the Planning Commission**
- 17.49.070 Action of the City Council**
- 17.49.080 Amendment of Official Zoning Map**
- 17.49.090 New Application**
- 17.49.100 Urgency Zoning Ordinance Amendments**
- 17.49.110 Prezoning**

### **17.49.010 Purpose**

This chapter establishes the procedure for changes in zoning designations for parcels, and also for changes in zoning standards within the text of the Farmersville Zoning Ordinance.

### **17.49.020 Boundary Changes**

- a. A change in the boundaries of any district may be initiated by the owner of the property within the area for which a change of district is proposed or the authorized agent of the owner filing an application for a change of district boundaries. If the area for which a change in district is proposed is more than one ownership, at least 50 percent of the property owners or their authorized agents shall join in filing the application.
- b. A change in boundaries of any district or a change in a district regulation may be initiated by application of a private party, or by resolution of the Planning

Commission, or by action of the City Council in the form of a request to the Planning Commission.

**17.49.030 Application and Fees**

- a. A property owner or authorized agent, desiring to propose a change in the boundaries of the district in which the property is located, may file an application with the Planning Commission for a change in district boundaries on a form prescribed by the Planning Commission which shall include the following data:
  1. Name and address of the applicant.
  2. Statement that the applicant is the owner of the property for which the change in district boundaries is proposed or the authorized agent for the owner, or the plaintiff in an action of eminent domain to acquire the property involved.
  3. Address and description of the property, including Assessor Parcel Number, number of acres, land use, surrounding land uses and other details that could be relevant to the proposal.
- b. The application shall be accompanied by a drawing of the site and the surrounding area for a distance of at least 300 feet from the boundary of the site, showing the location of streets, and property lines and the names and last known addresses of the recorded legal owners of all properties shown on the latest adopted tax roll of the County of Tulare. Assessor's maps may be used for this purpose.
- c. The application shall be accompanied by a fee set by a resolution of the City Council sufficient to cover the cost of processing the application as prescribed in this chapter.

**17.49.040 Review and Public Hearing Notice**

- a. Upon receipt the Planning Director shall review the application and determine whether it is complete, and shall notify the applicant of any discrepancies or additional information required to properly analyze the request. The Planning Director shall make an investigation of the application and shall prepare a report thereon which shall be submitted to the Planning Commission, including a recommendation as to the action to be taken by the Planning Commission and a statement supporting such recommendations.

Farmersville Zoning Ordinance  
Chapter 49: Zoning Ordinance Amendments

- b. The Planning Commission shall hold a public hearing on each application for a change in district boundaries or a district regulation within 45 days of the date when the application was filed or the proposal was initiated.
- c. Notice of a public hearing shall be given not less than 10 days prior to the date of the public hearing by: (1) a publication of a notice of the time and place of the hearing and a general explanation of the matter to be considered in a newspaper of general circulation within Farmersville; (2) mailing a notice of the time and place of the hearings to all persons whose names appear on the property owners list submitted under the provisions of this chapter.

**17.49.050 Public Hearing**

- a. At the public hearing, the Planning Commission shall review the application or the proposal and may receive pertinent evidence and testimony as to why and how the proposed amendment is necessary to achieve the objectives of the zoning ordinance prescribed in this chapter or how or why the proposed amendment is consistent with the stated purposes and application intended for the zone classification proposed.
- b. The Planning Commission may review proposals for the use of the property for which a change in district boundaries is proposed or plans or drawings showing proposed structures or other improvements, in light of the fact that under the provisions of this title a change in district boundaries cannot be made conditionally.

**17.49.060 Action of the Planning Commission**

Within 45 days following the completion of the public hearing, the Planning Commission shall make specific findings in writing as to whether the change is required to achieve the objectives of the zoning ordinance and the goals, policies and action programs of the general plan. The Commission shall transmit a report to the City Council recommending that the application be granted or denied, or that the proposal be adopted or rejected, including, if warranted, a written statement of the reasons for the recommendation, together with one copy of the application, resolution of the Commission, the scale drawing of the site and surrounding area and all other data therewith, the minutes of the public hearing, the report of the Planning Director and the findings of the Commission.

**17.49.070 Action of the City Council**

- a. Upon receipt of the Planning Commission's resolution and report, the City Council shall hold a public hearing; provided, however, that if the matter under

Farmersville Zoning Ordinance  
Chapter 49: Zoning Ordinance Amendments

- consideration is an amendment to change property from one district classification to another, and the Planning Commission has recommended against the adoption of such amendment, the City Council need not take any further action thereon unless an interested party requests such a hearing by filing a written request with the city clerk within five working days after the Planning Commission files its recommendation with the City Council.
- b. Notice of the time and place of said hearing shall be given in the time and manner provided in Chapter 17.5 (Public Hearings).
  - c. The City Council, after the close of the public hearing, shall make specific findings in writing as to whether the amendment is required in order to achieve the objectives of the zoning ordinance and goals, policies and action programs of the general plan and, when applicable, whether the amendment would be consistent with the purposes and application intended for the zoning district being proposed.
  - d. The City Council may approve, modify or deny the recommendation of the Planning Commission; provided, however, that if modified, the modification shall be first referred to the Planning Commission for report and recommendation. The Planning Commission shall not be required to hold a hearing thereon. Failure of the Planning Commission to report within 40 days of the reference (or such longer period as may be designated by the City Council) shall be deemed to be approval of the proposed modification by the Planning Commission.
  - e. If the City Council finds that the proposed amendment is required (in its original or modified form) it shall enact an ordinance amending the regulations of this title. If the Council finds that an amendment is not required, it shall deny the application or proposal for amendment.

**17.49.080      Amendment of Official Zoning Map**

A change in a district boundary shall be indicated on the Official Farmersville Zoning Map together with the date, the amendment action and ordinance number.

**17.49.090      New Application**

Following the denial of an application for a change in a district boundary, no application for the same or substantially the same change shall be filed within one year of the date of denial of the application.

**17.49.100 Urgency Zoning Ordinance Amendments**

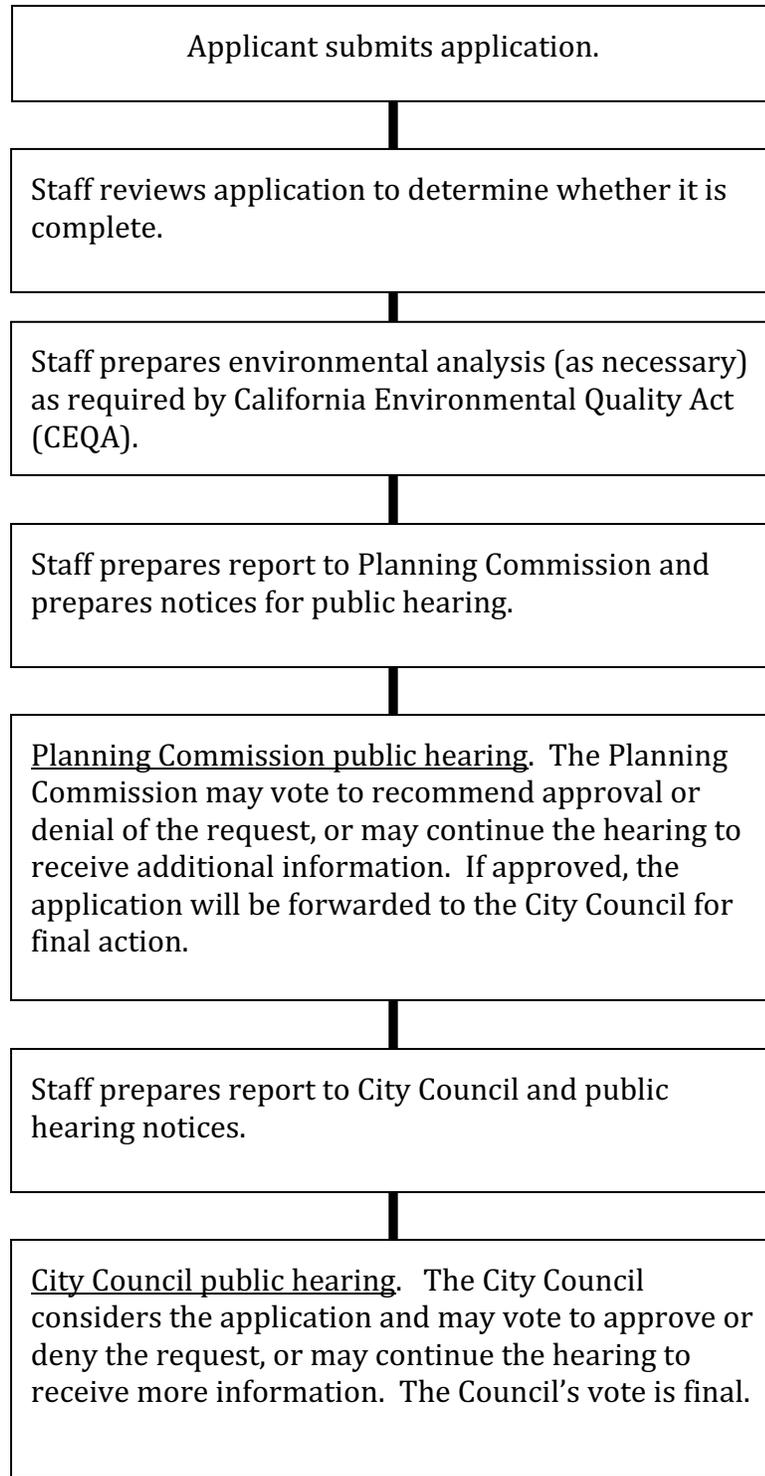
To protect the public interest, health, safety and welfare, the City Council may adopt an urgency zoning ordinance amendment limiting the use of property that may be in conflict with a general plan, specific plan, or zoning amendment that is being contemplated by the Planning Commission or City Council. The following regulations shall govern the procedures for an urgency zoning ordinance amendment.

- a. Adoption of an urgency zoning ordinance amendment shall require a four-fifths (4/5) vote of the City Council.
- b. The urgency ordinance shall not be binding 45 days from its adoption except under the following conditions.
  1. Subject to a public hearing, the City Council may extend the urgency ordinance amendment for 10 months and 15 days.
  2. An urgency ordinance amendment may extended for an additional year, subject to a four-fifths (4/5) vote by the City Council.
  3. Ten days prior to the expiration or extension of an urgency ordinance, the City Council shall issue a written report describing the measures being taken to alleviate the condition that led to the adoption of the urgency zoning ordinance.

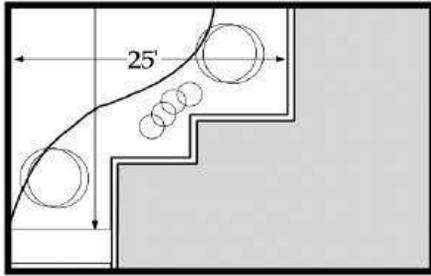
**17.49.110 Prezoning**

Farmersville may prezone unincorporated territory to delineate the zoning of the subject territory in the event of annexation to the City. The procedure for prezoning shall be consistent with the requirements for a zoning amendment outlined in this chapter.

**Exhibit 49-1: Zoning Ordinance Amendment Process**



## CHAPTER 51



## Site Plan and Design Review

- 17.51.010 Purpose**
- 17.51.020 Applicability**
- 17.51.030 Relationship to Design Guidelines**
- 17.51.040 Exemptions**
- 17.51.050 Application and Fee**
- 17.51.060 Action of the Site Plan Review Committee**
- 17.51.070 Report and Findings**
- 17.51.080 Action of the Planning Commission**
- 17.51.090 Street Dedication and Improvements**
- 17.51.100 Building Permit**
- 17.51.110 Lapse of Site Plan**
- 17.51.120 Revocation**
- 17.51.130 Site Plan to Run With the Land**

### **17.51.010 Purpose**

The purpose of the site plan/design review process is to enable the Planning Commission to make a finding that the proposed development is in conformity with the intent and provisions of this Ordinance and to guide the building department in the issuance of building permits. The site plan/design review process is intended to ensure that development constructed in Farmersville meets good urban design standards, does not have an adverse impact on neighboring properties, does not impact the public health, safety and welfare, and produces a development that will enhance the image and marketability of Farmersville.

### **17.51.020 Applicability**

The site plan/design review process shall be applicable to all uses on the permitted and conditional use lists of Farmersville's zone districts.

**17.51.030 Relationship to Design Guidelines**

In addition to the requirements for Site Plan Review outlined in this chapter, all development projects shall be subject to compliance with the Design Guidelines as applicable for commercial, industrial, multi family residential and neighborhood design.

**17.51.040 Exemptions**

The following uses shall be exempt from Farmersville's site plan/design review process:

- a. Single family dwellings
- b. Open space uses that do not require a building permit
- c. Incidental and accessory structures
- d. Various public and private utility and infrastructure improvements
- e. Small family day care homes (Health and Safety Code 1597.45)
- f. Existing permitted uses whose building area is being increased by less than 25 percent
- g. Other uses that the Planning Director determines not to require site plan/design review because it would not further the objectives of this chapter, including temporary use permits, minor building and site improvements and in home care facilities that cater to the elderly or disabled.

**17.51.050 Application and Fee**

An application for a site plan/design review permit shall be made to the Planning Department on a form prescribed by the Department. The application shall be accompanied by a fee set by resolution of the City Council. Uses requiring a conditional use permit shall not be required to pay for a site plan/design review permit because the fee would be covered by the fee for a conditional use permit. The information requirements detailed below will be required of use permit applicants. The application shall include the following information:

- a. Name and address of applicant.
- b. Statement that the applicant is the owner of the property or is the authorized agent of the owner.

- c. An accurate scale drawing of the site and the surrounding area for a distance of at least 100 feet from each boundary of the site showing the existing locations of streets and property lines.
- d. Preliminary floor plans and front, side and rear elevations of the proposed structures, along with renderings showing proposed colors and materials of the structures and improvements.
- e. A site plan , drawn to scale, which shall show the following:
  - 1. Lot and building dimensions.
  - 2. All buildings and structures: location, size, height, and proposed use.
  - 3. Yards and space between buildings.
  - 4. Walls and fences: location, height and materials.
  - 5. Off-street parking and loading: location, number of spaces, dimensions of spaces, and internal circulation pattern.
  - 6. Access: pedestrian, vehicular and service: points of ingress and egress.
  - 7. Signs: location, size, height, and type of illumination.
  - 8. Lighting: location and general nature.
  - 9. Trash enclosures.
  - 10. Street dedication and improvements.
  - 11. Grading and drainage plan.
  - 12. Landscaping and irrigation: location and type.

**17.51.060 Action of the Site Plan Review Committee**

Within 15 working days after the submission of a site plan, the site plan review committee (composed of the City Planner, City Engineer, City Manager, Public Works Director, Fire Chief and Chief of Police) shall review the site plan and shall provide a recommendation to the Planning Commission of approval, approval with conditions or denial.

**17.51.070 Report and Findings**

The Planning Department shall prepare a report on the site plan/design review permit application. The Department shall prepare a report and recommendation based on the findings and conditions provided by the Site Plan Review Committee. This report shall be forwarded to the Planning Commission. The findings shall include the following:

- a. That the location of the proposed use is in accordance with the purpose and objectives of this Ordinance and the purposes of the district in which the subject site is located.
- b. That the design of buildings and other improvements complies with applicable Design Guidelines for the zone in which the project is located.
- c. That the location of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public interest, health, safety, convenience or welfare, or be materially injurious to properties or improvements in the vicinity.
- d. That the proposed use will not have a significant impact on the environment.
- e. That the proposed use will comply with applicable provisions contained in this Ordinance.
- f. That the proposed use is consistent with the Farmersville General Plan.
- g. That the site for the proposed use is adequate in size, shape and location to accommodate the use for which it is proposed.

**17.51.080 Action of the Planning Commission**

Following the review of the Planning Department's report on the site plan/design review application, the Planning Commission shall take action on the site plan/design review permit. The Commission can approve, approve with conditions, or deny the site plan/design review permit based on the finding listed above. The Commission's decision shall be final unless appealed to the City Council consistent with the requirements contained in Chapter 17.7 (Appeals).

Within 10 days of adopting a resolution on the site plan/design review permit, the Commission shall transmit a copy of its resolution along with its required conditions to the person who filed the site plan permit application.

**17.51.090 Street Dedication and Improvements**

In addition to the conditions detailed in the Planning Commission's resolution, changes in the neighborhood that would result from traffic generated by the development undergoing site plan/design review may require land dedication and/or street improvements. Should the Commission find that approval of the proposed development combined with existing traffic in and near the subject property warrant road improvements along the subject property, the Commission may require conditions as follows:

- a. The applicant shall dedicate necessary right-of-way along the subject property adequate to facilitate the installation of roadway improvements consistent with Farmersville's Circulation Element and Improvements Manual.
- b. The applicant shall install roadway improvements, including curbs, gutters, sidewalks and street paveout, along the subject property that are consistent with Farmersville's Circulation Element and Improvements Manual. These improvements may extend off site for purposes of ensuring safe traffic circulation, effective storm drainage, or pedestrian safety.
- c. The applicant shall install non-roadway improvements within the roadway right-of-way, including street signs, street lights, street trees and bus stops.

All improvements shall be constructed and installed to city standards and shall be installed at the time of development. Where it is determined by the Planning Commission that it is impractical to install certain or all improvements at the time of development, an agreement to make such improvements may be accepted in lieu thereof. In the event of such an arrangement, the applicant shall enter into an agreement with Farmersville for the installment of improvements before a building permit is issued. The applicant shall deposit money with the City of Farmersville or post a bond with the City in the amount determined by the City Engineer to guarantee the installation of said improvements.

**17.51.100 Building Permit**

Before a building permit shall be issued for any building or structure proposed as part of a site plan/design review, the Chief Building Official shall find that the proposed building location and size, facilities and improvements are in conformance with the site plan/design review and conditions approved by the Planning Commission.

**17.51.110 Lapse of Site Plan**

Site plan/design review approval shall lapse and shall become void one year following the date on which it was approved unless, prior to expiration of one year, a building permit has been issued by the Chief Building Official and construction has commenced.

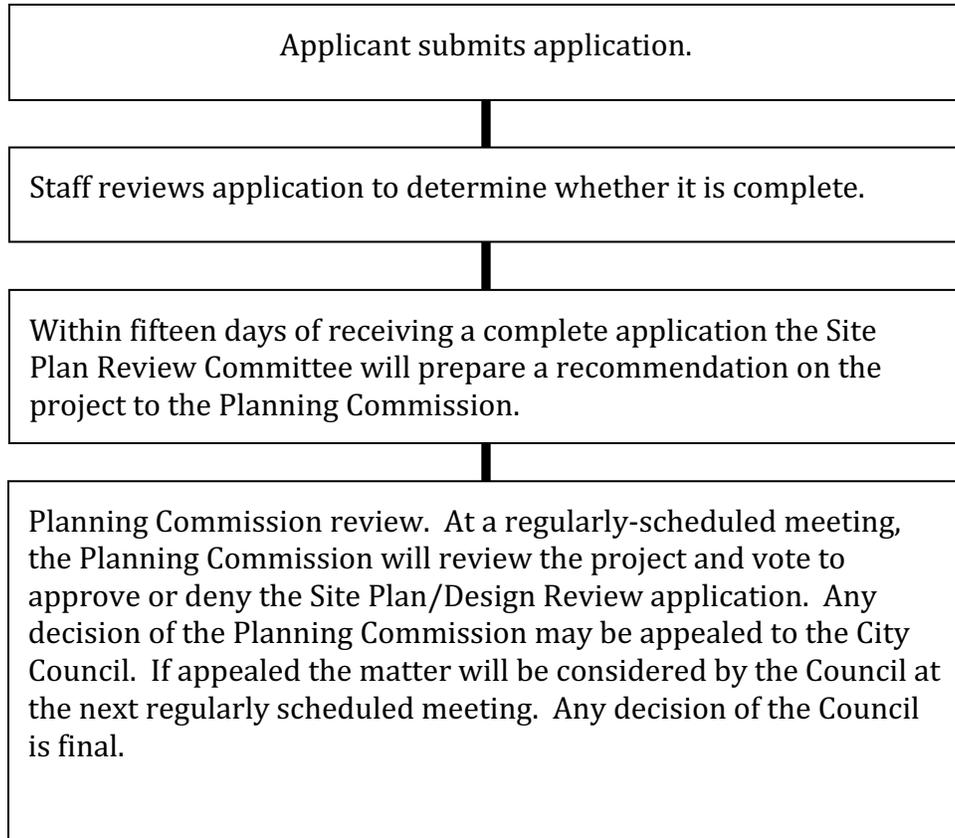
**17.51.120 Revocation**

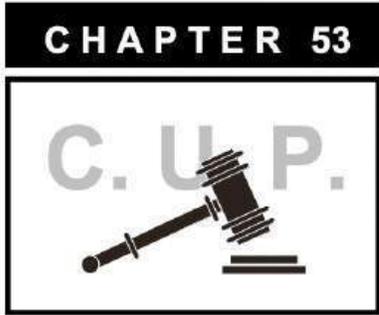
Upon violation of any conditions of an approved site plan, said site plan may be revoked and building permits associated with an approved site plan shall be suspended. Within 30 days of the revocation and suspension, the City Council shall consider the matter. If not satisfied that the regulation, general provision, condition or conditions are being complied with, the City Council may revoke the site plan and/or building permit and take action as may be necessary to ensure compliance.

**17.51.130 Site Plan to Run With the Land**

A completed (constructed) site plan shall run with the land and shall continue to be valid upon change of ownership of the property or building which was the subject of a site plan application.

**Exhibit 53-1: *Site Plan Review Process***





## Conditional Use Permits

### Sections

- 17.53.010 Purpose**
- 17.53.020 Application and Fee**
- 17.53.030 Hearings and Notice**
- 17.53.040 Review and Public Hearing Notice**
- 17.53.050 Report and Findings**
- 17.53.060 Action of the Planning Commission**
- 17.53.070 Conditions**
- 17.53.080 Lapse of Conditional Use Permit**
- 17.53.090 Extension of Conditional Use Permit**
- 17.53.100 Revocation**
- 17.53.110 New Application**
- 17.53.120 Use Permit to Run with the Land**
- 17.53.130 Preexisting Conditional Use Permits**
- 17.53.140 Temporary Conditional Use Permits**

### **17.53.010 Purpose**

The purpose of this chapter is to establish procedures for processing Conditional Use Permits and temporary use permits. Certain uses listed in districts in this Ordinance are permitted subject to receiving a Conditional Use Permit. Because of their unusual characteristics, or unique area in which they are proposed, these uses require special consideration so that they may be located properly with respect to the purpose and objectives of this Ordinance and with respect to their effects on surrounding properties.

### **17.53.020 Application and Fee**

An application for a Conditional Use Permit shall be made to the Planning Department on a form prescribed by the Department. The application shall be accompanied by a fee set by resolution of the City Council.

**17.53.030 Hearings and Notice**

Upon receipt of a Conditional Use Permit application, the Planning Department shall prepare a notice for a public hearing consistent with the requirements contained in Section 17.5 (Public Hearings). The application shall include the following information:

- a. Name and address of applicant.
- b. Statement that the applicant is the owner of the property, or is the authorized agent of the owner.
- c. A site plan, drawn to scale, which shall show the following:
  1. Lot and building dimensions.
  2. All buildings and structures: location, size, height, and proposed use.
  3. Yards and space between buildings.
  4. Walls and fences; location, height and materials.
  5. Off-street parking and loading: Location, number of spaces, dimensions of spaces, and internal circulation pattern, consistent with standards contained in Section 25-45 Parking and Loading.
  6. Access: pedestrian, vehicular and service. Points of ingress and egress.
  7. Signs: location, size, height, and type of illumination, consistent with standards contained in Section 17.47 (Signs).
  8. Lighting: location and general nature.
  9. Street dedication and improvements.
  10. Landscaping and irrigation: location and type, consistent with standards contained in Section 17.43 (Landscaping).
- d. Where new construction or significant remodeling is proposed, preliminary floor plans and front, side and rear elevations of the proposed structures.

**17.53.040 Review and Public Hearing Notice**

Upon receipt the Planning Director shall review the application and determine whether it is complete, and shall notify the applicant of any discrepancies or additional information required to properly analyze the request. The Planning Director shall also make a determination regarding any review of potential environmental impacts associated with the project, as required by the California Environmental Quality Act.

The Planning Director shall then make an investigation of the application and shall prepare a report thereon which shall be submitted to the Planning Commission, including a recommendation as to the action to be taken by the Planning Commission and a statement supporting such recommendations.

**17.53.050 Report and Findings**

The Planning Department shall prepare a report on the Conditional Use Permit application that provides a recommendation based on the following findings.

- a. That the use is compatible with the zone district in which it is proposed.
- b. That the use is compatible with the general plan designation adopted for the subject site.
- c. That the development and operation of the use will comply with applicable zoning ordinance regulations.
- d. That the site for the use is adequate in size, shape and location to accommodate the use for which it is proposed.
- e. That the use will not have a significant impact on the environment. Satisfaction of this finding shall be solely predicated upon adopted CEQA thresholds of significance.

**17.53.060 Action of the Planning Commission**

The Planning Commission shall conduct a public hearing for the proposed Conditional Use Permit, consistent with the procedure established in Chapter 17.5 (Public Hearings). Following the public hearing, the Planning Commission shall take action on the Conditional Use Permit. The Commission can approve, approve with conditions or deny the Conditional Use Permit based on the finding listed above. The Commission's decision is final unless appealed to the City Council, consistent with the procedure established in Chapter 17.7 (Appeals).

Within 10 days of adopting a resolution on the Conditional Use Permit, the Commission shall transmit a copy of its resolution to the applicant.

**17.53.070 Conditions**

The Planning Commission can approve a Conditional Use Permit subject to conditions. Conditions may involve the operation of the use, maintenance of the property or specific aspects associated with the development, including storage and display of goods, grading, surface and drainage improvements; vehicular ingress and egress; parking and loading; landscaping and irrigation and maintenance thereof; regulation of light, vibration, odors, and noise; appearance of buildings, grounds, signs, and other structures; street dedication and improvements; and hours of operation. In cases where certain improvements may be phased over time, Farmersville may request a bond or monetary deposit to ensure faithful performance on the part of the applicant. The value of the bond or deposit shall be determined by the City Engineer.

Conditions set forth for a Conditional Use Permit can only be required in order to achieve the purpose and objectives of this Ordinance. Conditions which require dedication of land for a purpose not reasonably related to the use of the property shall be prohibited.

**17.53.080 Lapse of Conditional Use Permit**

A Conditional Use Permit shall lapse and become void one year from the date it became effective, unless by conditions of the use permit a greater time is allowed, or unless a building permit is issued by the Chief Building Official and construction on the use has commenced.

**17.53.090 Extension of Conditional Use Permit**

A Conditional Use Permit for which no building permit or business license has been issued may be renewed in increments of one year, not to exceed three one-year extensions; provided, that prior to the one year expiration, an application for renewal is filed with the Planning Department. The Planning Commission by resolution may approve, approve with conditions or deny the renewal application.

**17.53.100 Revocation**

Where the City finds that a use operating under a Conditional Use Permit is not complying with the conditions of that use permit, the operation of the use shall be suspended. Within 60 days of the suspension, the Planning Commission shall hold a

public hearing on the Conditional Use Permit. Based on a report from the Planning Department, findings contained in Section 17.53.050 of this Chapter, and testimony from the public, the Commission may revoke the Conditional Use Permit with conditions that may be necessary to assure compliance with the purpose and objectives of this Ordinance. The Commission's decision shall be final unless appealed to the City Council consistent with the requirements contained in Section 17.7 (Appeals).

**17.53.110 New Application**

Following the denial or revocation of a Conditional Use Permit, no application for the same or substantially the same Conditional Use Permit shall be filed within one year of the date of denial or revocation.

**17.53.120 Use Permit to Run with the Land**

A Conditional Use Permit shall run with the land and shall continue to be valid upon change of ownership of the property or structure that was the subject of the use permit application.

**17.53.130 Preexisting Conditional Use Permits**

A Conditional Use Permit granted under the provisions of the Tulare County Zoning Ordinance and supplementary provisions thereto prior to the enactment of this Ordinance shall, upon the annexation of the property into Farmersville, become null and void at the end of one year after said annexation has been completed.

**17.53.140 Temporary Conditional Use Permits**

a. Purpose

The purpose of a temporary Conditional Use Permit is to provide for the short-term use of property and structures that are consistent with the purpose and objectives of this Ordinance.

b. Applicant and Fee

An application and fee for a temporary Conditional Use Permit shall be made to the Planning Department on a form prescribed by the Department. The application shall be accompanied by a fee set by resolution of the City Council.

c. Report and Findings

The Planning Director is authorized to review and approve temporary Conditional Use Permits subject to reviewing the following findings. The Director may add conditions to ensure consistency with the purpose and objectives of the Ordinance including the following:

1. That egress and ingress and off-street parking facilities are properly designed and adequate to serve the use.
2. That the site is adequate in size and location and has the proper accessibility to accommodate the use.
3. That there are adequate public services, including fire protection, water supply, waste water disposal, and police protection to serve the use.
4. That upon termination of the use the site shall be restored to its original condition. All materials and equipment associated with the temporary use shall be removed.
5. That reasonable time limits are established for the use, not to exceed 30 days.
6. That the applicants for a temporary Conditional Use Permit shall have all applicable licenses and permits.
7. That any signage for the use be approved by the Planning Department.

d. Processing

Temporary Conditional Use Permits may be processed as an administrative matter by the Planning Director. Following a decision by the Director, an administrative agreement shall be prepared that outlines the findings and conditions on the temporary use permit.

e. Temporary Uses and Activities

The following uses and activities (and those determined to be reasonably similar in nature by the Planning Director) are eligible for a temporary use permit. The Planning Commission, by resolution, may add other uses to the list. The Planning Director shall determine the appropriate districts for the uses and activities listed below.

1. Christmas tree sales.
2. Promotional displays and activities, including amusement rides, street dances, concerts, live entertainment and promotional outdoor displays and sales. These activities may be conducted in any non-residential district. Temporary signs are permitted with the approval of Planning Director. All display material, signs and related improvements shall be removed no later than 24 hours from the end of the activity. Sales areas shall be located where adequate parking is available and sight distances at intersections and driveways will not be obstructed.

3. Temporary Uses.

The temporary use of property by nonprofit or charitable organizations, including activities such as expositions, concerts, carnivals, amusement rides, and church revivals.

4. Temporary Outdoor Sales

Temporary outdoor sales, sidewalk sales and parking lot sales in association with a permitted business for which there is an enclosed building. No off-site signs shall be permitted and no more than six of these events shall occur on the subject property per calendar year.

5. City-sponsored uses and activities, not occupying a structure and occurring at regular periodic intervals.

f. Exemptions

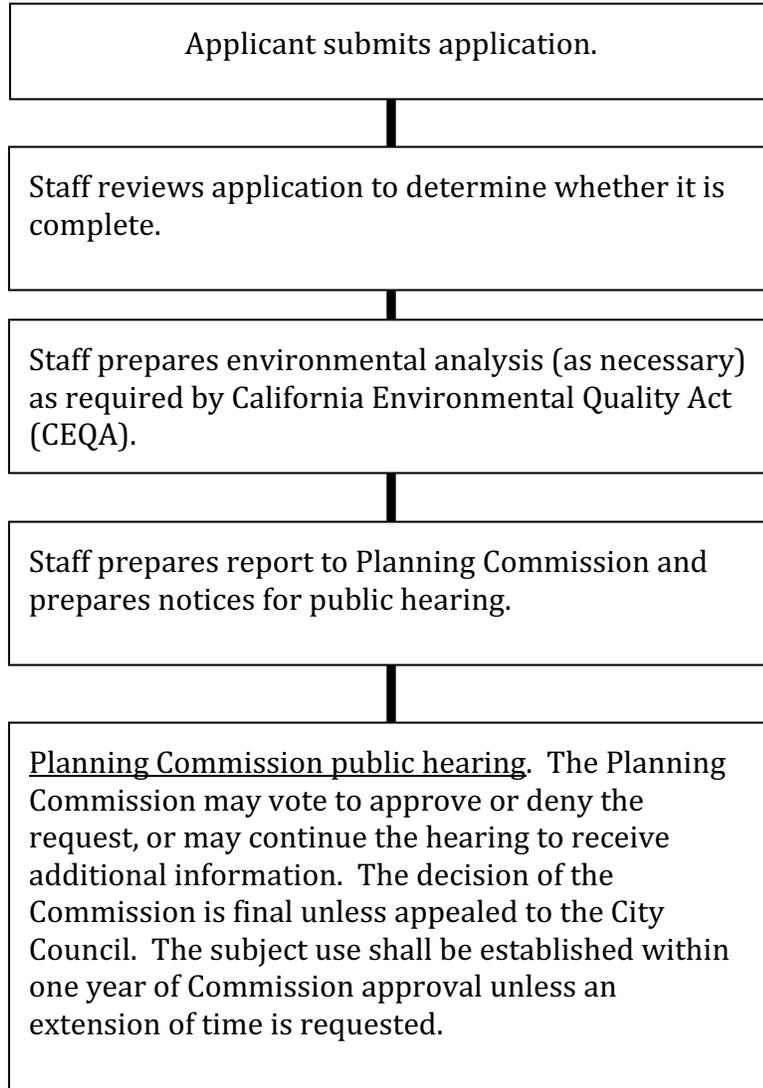
The following uses shall be exempt from securing a temporary use permit from the City of Farmersville.

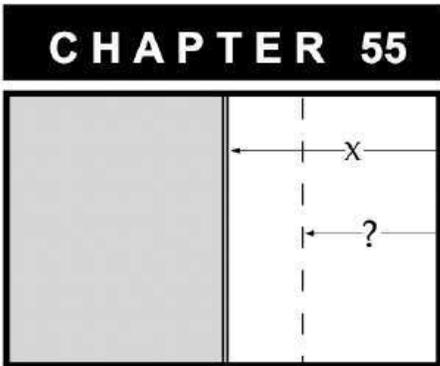
1. Fireworks stands
2. Garage and yard sales

g. Appeal

A decision of Planning Director may be appealed to the Planning Commission consistent with the procedures contained in Section 17.7 (Appeals).

**Exhibit 53-1: Conditional Use Permit Process**





## Variations, Minor Deviations and Reasonable Accommodations

### Sections

- 17.55.010 Purpose**
- 17.55.020 Variations - Applicability**
- 17.55.030 Variations - Application and Fee**
- 17.55.040 Variations - Hearings and Notice**
- 17.55.050 Variations - Report and Findings**
- 17.55.060 Variations - Action of the Planning Commission**
- 17.55.070 Variations - Conditions**
- 17.55.080 Variations - Appeal to City Council**
- 17.55.090 Variations - Lapse of Variance**
- 17.55.100 Variations - New Application**
- 17.55.110 Variations - Variance to Run With the Land**
- 17.55.120 Minor Deviations - Purpose**
- 17.55.130 Minor Deviations - Applicability**
- 17.55.140 Minor Deviations - Application and Fee**
- 17.55.150 Minor Deviations - Report and Findings**
- 17.55.160 Minor Deviations - Action of the Planning Director**
- 17.55.170 Minor Deviations – Conditions**
- 17.55.180 Reasonable Accommodations – Purpose**
- 17.55.190 Reasonable Accommodations - Applicability**
- 17.55.200 Reasonable Accommodations - Application and Fee**
- 17.55.210 Reasonable Accommodations - Action of Planning Director**
- 17.55.220 Reasonable Accommodations - Appeal to the Planning Commission**

### **17.55.010 Purpose**

The purpose of this chapter is to establish procedures for processing applications for variations, minor deviations and reasonable accommodations requests. Variations are addressed in Sections 17.55.010 through 17.55.110; Minor Deviations are addressed in Sections 17.55.120 through 17.55.170, and Reasonable Accommodations are addressed in Sections 17.55.180 through 17.55.220.

**17.55.020 Variances - Applicability**

The Planning Commission may grant a variance from district regulations, including setbacks, lot dimensions, height of structures, lot coverage, parking and loading standards, and sign regulations, but shall not apply to types of uses.

**17.55.030 Variances - Application and Fee**

An application for a variance shall be made to the Planning Department on a form prescribed by the Department. The application shall be accompanied by a fee set by resolution of the City Council.

**17.55.040 Variances - Hearings and Notice**

Upon receipt of a variance application, the Planning Department shall prepare a notice for a public hearing consistent with the requirements contained in Chapter 17.5 (Public Hearings).

**17.55.050 Variances - Report and Findings**

The Planning Department shall prepare a report on the variance application. The Department shall provide a recommendation based on the following findings, which are pursuant to California Government Code Section 65906.

- a. That there are special circumstances applicable to the property, including size, shape, topography, location or surroundings, and that the strict application of this Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical classifications;
- b. That granting a variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and district and denied to the property for which the variance is sought;
- c. That granting the variance will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in such vicinity and district in which the property is located;
- d. That granting the variance does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which such property is located;

Farmersville Zoning Ordinance

Chapter 55: Variances, Minor Deviations and Reasonable Accommodations

- e. That granting the variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel; and
- f. That granting the variance will not be inconsistent with the General Plan.

**17.55.060 Variances - Action of the Planning Commission**

Following the public hearing, the Planning Commission shall take action on the variance. The Commission can approve, approve with conditions or deny the variance based on the finding listed above. To approve a variance, the Commission shall find that all of the above findings are true. The Commission's decision shall be final unless appealed to the City Council consistent with the requirements contained in Chapter 17.7 (Appeals).

Within 10 days of adopting a resolution on the variance, the Commission shall transmit a copy of its resolution to the person that filed the variance application.

**17.55.070 Variances - Conditions**

The Planning Commission can approve a variance subject to conditions. Such conditions will assure that the approved variance shall not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is located.

**17.55.080 Variances - Appeal to City Council**

Upon an appeal of the Planning Commission's action, the City Council shall hold a public hearing and take action by resolution on the variance. The Council shall consider the Commission's decision, the claims contained in the appeal, and the findings contained in Section 17.55.050 of this chapter. The Council can approve, approve with modifications or deny the decision of the Planning Commission. The decision of the Council shall be final. The variance shall become effective three days following the date of Council approval. Within 10 days of adopting a resolution on the variance, the Council shall transmit a copy of its resolution to the person who filed the variance application.

**17.55.090 Variances - Lapse of Variance**

A variance shall lapse and become void one year from the date it became effective, unless conditions of the variance allow a greater time, or unless a building permit is issued by the Chief Building Official and construction has commenced on the use that is the subject of the variance.

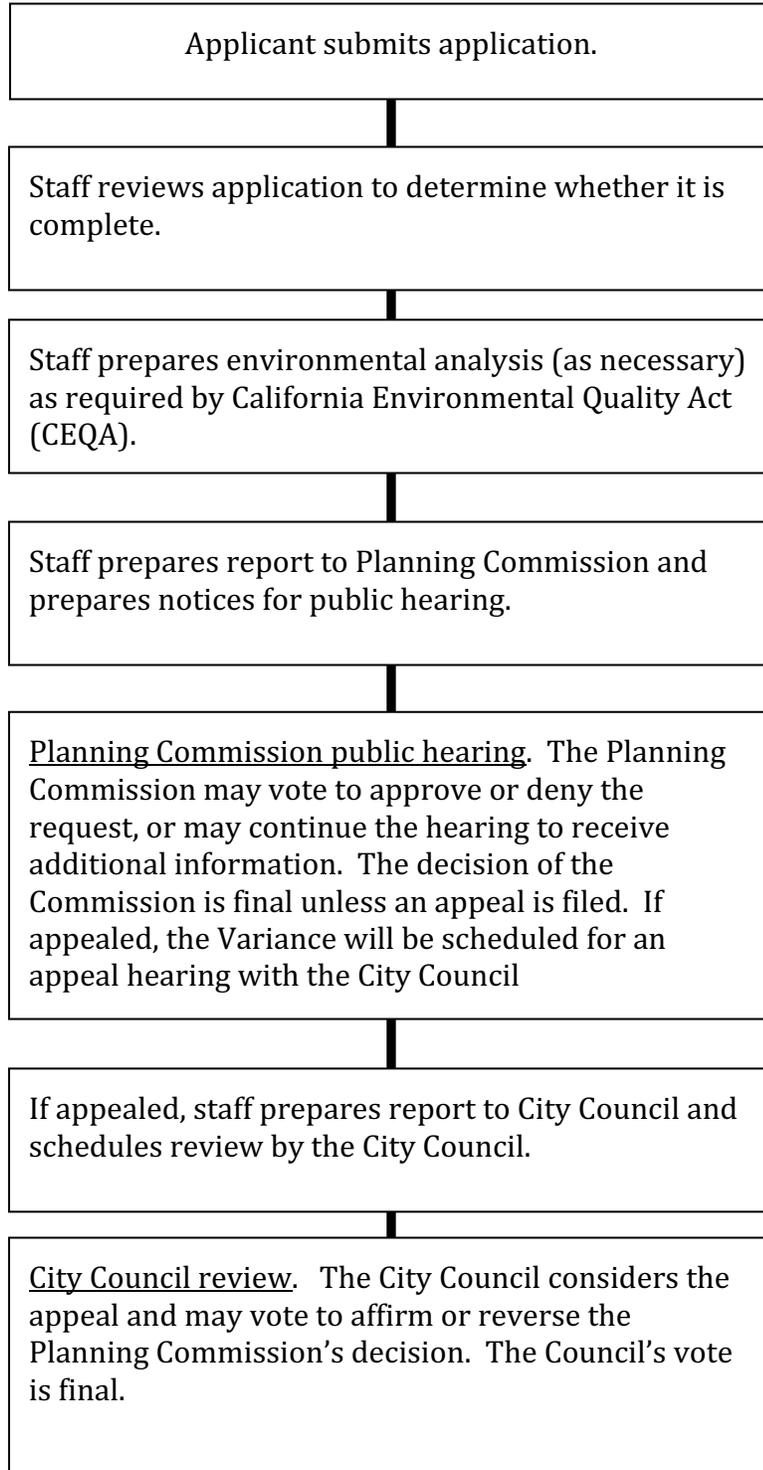
**17.55.100 Variances - New Application**

Following the denial or revocation of a variance, no application for the same or substantially the same variance shall be filed within one year of the date of denial or revocation.

**17.55.110 Variances - Variance to Run With the Land**

A variance shall run with the land and shall continue to be valid upon change of ownership of the property or structure which was the subject of the variance application.

**Exhibit 55-1: Variance Process**



**17.55.120 Minor Deviations - Purpose**

The purpose of this chapter is to provide a mechanism whereby minor deviations from district regulations can be granted by the Planning Director. A minor deviation may be granted for up to 20 percent for setback distances. Any minor deviation that exceeds the deviation percentage explained above shall be processed as a variance consistent with the regulations detailed in the requirements for Variances in this chapter.

Minor deviations shall only be granted when practical difficulties, unnecessary hardships and conditions inconsistent with the purpose and objectives of this Ordinance may result from the strict application of certain provisions of this Ordinance. The granting of a minor deviation and its associated conditions shall not constitute a special privilege inconsistent with the limitations on other properties in vicinity and in other like districts in Farmersville.

**17.55.130 Minor Deviations - Applicability**

The Planning Director may grant a minor deviation from district regulations for the following:

- a. Reduction of lot area, lot dimensions, space between buildings, yard space, set back requirements, or population density requirements by not more than twenty (20) percent.
- b. Increase of lot coverage or height limitations by not more than twenty (20) percent.
- c. Permission to repair or remodel a nonconforming structure if the work will bring the structure and the subsequent use into greater conformity with the property development standards of the zoning district in which the structure is located.

**17.55.140 Minor Deviations - Application and Fee**

An application for a minor deviation shall be made to the Planning Department on a form prescribed by the Department. The application shall be accompanied by a fee set by resolution of the City Council.

**17.55.150 Minor Deviations - Report and Findings**

The Planning Director shall prepare a report on the minor deviation application and shall review the following findings with regard to a minor deviation.

Farmersville Zoning Ordinance

Chapter 55: Variances, Minor Deviations and Reasonable Accommodations

- a. There are special circumstances applicable to the property, including size, shape, topography, location or surroundings or unclear property lines, where the strict application of this Ordinance deprives such property rights possessed by other properties in the same vicinity or other properties that have the same district classification;
- b. That granting a minor deviation is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity or other properties that have the same district classification;
- c. That granting the minor deviation will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in the vicinity and district in which the property is located; and
- d. That granting the minor deviation does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the property is located.

**17.55.160 Minor Deviations - Action of the Planning Director**

Minor deviations may be processed as an administrative matter by the Planning Director. Following a review of a minor deviation application and the findings listed above, the Planning Director may take action on the minor deviation. The Planning Director can approve, approve with conditions or deny the minor deviation based on the findings listed above. Following a decision by the Planning Director, an administrative resolution shall be prepared that outlines the findings and conditions of the decision.

The Director's decision shall be final unless appealed to the Planning Commission consistent with the requirements contained in Chapter 17.7 (Appeals). Within 10 days of approving the minor deviation, the Director shall transmit a copy of the administrative resolution to the person that filed the minor deviation application.

**17.55.170 Minor Deviations - Conditions**

The Director can approve a minor deviation subject to conditions. Conditions will assure that the approved minor deviations shall not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity and district in which such property is situated.

**17.55.180 Reasonable Accommodations - Purpose**

It is the policy of the City of Farmersville, pursuant to the federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act (hereafter called “fair housing laws”), to provide individuals with disabilities reasonable accommodation in rules, policies, practices and procedures to ensure equal access to housing and facilitate the development of housing for individuals with disabilities. This ordinance establishes a procedure for making requests for reasonable accommodation in land use, zoning and building regulations, policies, practices and procedures of the jurisdiction to comply fully with the intent and purpose of fair housing laws.

**17.55.190 Reasonable Accommodations - Applicability**

Reasonable accommodation in the land use and zoning context means providing individuals with disabilities or developers of housing for people with disabilities, flexibility in the application of land use and zoning and building regulations, policies, practices and procedures, or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities.

An individual with a disability is someone who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone with a record of such impairment.

A request for reasonable accommodation may be made by an individual with a disability, his or her representative, or a developer or provider of housing for individuals with disabilities, when the application of a land use, zoning, or building regulation, policy, practice or procedure acts as a barrier to fair housing opportunities.

**17.55.200 Reasonable Accommodations - Application and Fee**

Any eligible person as defined in Section 17.55.190 may request a reasonable accommodation in land use, zoning and building regulations, policies, practices and procedures. An application for reasonable accommodation shall be made to the Planning Department on a form prescribed by the Department. The application shall be accompanied by a fee set by resolution of the City Council.

Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.

**17.55.210 Reasonable Accommodations - Action of Planning Director**

The Planning Director shall prepare a report on the reasonable accommodation application. Reasonable accommodation applications shall be processed as an administrative matter. The Planning Director can approve, approve with conditions or deny the application based on the findings listed below. Following a decision by the Planning Director, an administrative resolution shall be prepared that outlines the findings and conditions of the decision. The decision shall be made within 30 days of receiving the application. The written decision of the Planning Director shall be final unless appealed to the Planning Commission consistent with the requirements contained in Section 17.7 (Appeals). The Planning Director shall render a decision based on the following findings.

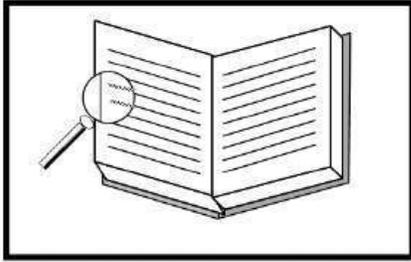
- a. Whether the housing, which is the subject of the request for reasonable accommodation, will be used by an individual with disabilities protected under fair housing laws;
- b. Whether the requested accommodation is necessary to make housing available to an individual with disabilities protected under the fair housing laws;
- c. Whether the requested accommodation would impose an undue financial or administrative burden on the City and;
- d. Whether the requested accommodation would require a fundamental alteration in the nature of the City's land use and zoning or building program.
- e. In granting a request for reasonable accommodation, the reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation will comply with these findings including the following:
  1. Inspection of the property periodically, as specified, to verify compliance with this section and any conditions of approval;
  2. Removal of the improvements, where removal could not constitute an unreasonable financial burden, when the need for which the accommodation was granted no longer exists;
  3. Time limits and/or expiration of the approval if the need for which the accommodation was granted no longer exists;
  4. Recordation of a deed restriction requiring removal of the accommodating feature once the need for it no longer exists;

6. Measures in consideration of the physical attributes of the property and structures;
7. Other reasonable accommodations that may provide an equivalent level of benefit and that will not result in an encroachment into required setbacks, exceed the maximum height, lot coverage, or floor area ratio requirement specified for the zone district; and

**17.55.220 Reasonable Accommodations - Appeal to the Planning Commission**

Upon an appeal of the Planning Director's decision, the Planning Commission shall take action by resolution on the reasonable accommodation application. The Commission shall consider the Planning Director's decision, the claims contained in the appeal, and the findings contained in Section 17.55.210 of this chapter. The Commission can approve, approve with modifications or deny the recommendation of the Planning Director. The decision of the Commission shall be final. The decision shall become effective three days following the date of the Commission's approval at which time the applicant may secure a building permit for the accommodation under consideration.

## CHAPTER 57



# Non-Conforming Uses and Structures

### Sections

- 17.57.010 Purpose**
- 17.57.020 Definitions**
- 17.57.030 Continuation, Maintenance and Abandonment**
- 17.57.040 Restoration of Damaged Structure**

### 17.57.010 Purpose

The purpose of this chapter is to prevent the expansion of non-conforming uses and structures, to the maximum extent possible, to establish criteria under which they may be continued or possibly expanded and to provide for the modification or removal of these non-conforming uses and structures in a fair, defensible and timely manner. The general purpose is to facilitate the fair transition of properties with non-conforming uses to those with uses that conform with the site's zoning.

### 17.57.020 Definitions

- a. A non-conforming use is a use of a structure or land that was lawfully established and maintained prior to the adoption of the Farmersville Zoning Ordinance but which does not conform with the use regulations for the district in which it is located.
- b. A non-conforming structure is a structure that was lawfully erected prior to the adoption of the Farmersville Zoning Ordinance but which does not conform with the standards of coverage, setbacks, height, or distance between structures prescribed in the regulations for the district in which the structure is located.

### 17.57.030 Continuation, Maintenance and Abandonment

- a. A use legally occupying a structure or a site on the effective date of the zoning ordinance or amendments thereto, which does not conform with the use

Farmersville Zoning Ordinance  
Chapter 57: Non-Conforming Uses and Structures

- regulations for the district in which the use is located shall be deemed a legal, non-conforming use and may be continued, except as otherwise provided in this chapter.
- b. A structure legally occupying a site on the effective date of the zoning ordinance or amendments thereto which does not conform with the standards of coverage, setbacks, height, or distances between structures prescribed in the regulations for the district in which the structure is located shall be deemed a legal, non-conforming structure and may be continued, except as otherwise provided in this chapter.
  - c. A sign or outdoor advertising structure legally occupying a site on the effective date of the zoning ordinance or amendments thereto which does not conform with the standards for message content, location, size, height, placement, lighting, or movement prescribed in Chapter 17.47 (Signs and Advertising) for the district in which it is located shall be deemed to be non-conforming and may be continued, except as otherwise provided in this chapter.
  - d. Routine maintenance and repairs may be performed on a non-conforming site, a non-conforming structure or a non-conforming sign or outdoor advertising structure. Improvements in the design or appearance of these non-conforming features may be made so long as the discrepancy between the existing conditions of the use, structure, sign, or advertising structure and the current district standards is not increased.
  - e. Alterations and additions to uses that are non-conforming shall be prohibited unless required by law or unless the moving, altering, or enlargement will result in the elimination of the non-conforming use.
  - f. Alterations and additions to structures, signs and outdoor advertising structures shall be prohibited unless required by law or unless the moving, altering or enlargement will result in the elimination of the non-conforming structure, sign, or outdoor advertising structure.
  - g. Whenever a non-conforming use, structure, sign, or outdoor advertising structure has been abandoned, discontinued, or changed to a conforming use for a continuous period of 90 days, the non-conforming use shall not be reestablished and the non-conforming structure, sign or outdoor advertising structure shall be removed.
  - h. Nothing in this chapter shall be construed or applied so as to require the termination, discontinuance, or removal or so as to prevent the expansion, modernization, replacement, maintenance, alteration, reconstruction or rebuilding and continued use of a public building or public utility buildings, structures, equipment, and facilities.

**17.57.040 Restoration of Damaged Structure**

- a. Whenever a non-conforming use, structure, sign or outdoor advertising structure is destroyed by fire or other calamity or by an act of God or by the public enemy, the use, structure or sign shall not be replaced, unless the cost of such reconstruction, repairing or rebuilding does not exceed fifty (50%) percent of the reasonable replacement value of the building immediately prior to the damage, as determined by a qualified appraiser, provided that restoration is started within three months of the act of destruction and is completed within one year from the time of the event.
  
- b. Whenever a non-conforming use, structure, sign, or outdoor advertising structure is destroyed by fire, or other calamity, or by an act of God or by the public enemy to the extent that more than 50 percent of the value of the use, structure, sign or outdoor advertising structure is destroyed as determined by the Chief Building Official, the feature shall be voluntarily razed, shall be required by law to be razed or shall be restored to conformity with the regulations for the district in which the feature is located. A non-conforming use shall not be resumed.

## CHAPTER 59



## Enforcement

### Sections

- 17.59.010 Purpose**
- 17.59.020 Code Violation Defined**
- 17.59.030 Administration**

#### **17.59.010 Purpose**

The purpose of this chapter is to provide a mechanism for enforcing the provisions of this Ordinance that pertain to Zoning code violations. Code enforcement involves the process of ensuring property owners and residents comply with local building, zoning, and health regulations.

#### **17.59.020 Code Violation Defined**

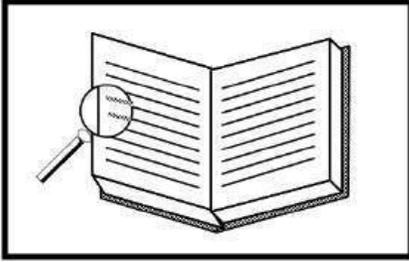
A code violation refers to a resident or property owner violating local building, zoning, and health regulations. Code enforcement officers handle local code violations involving dangerous or illegal structures, graffiti, inoperable vehicles, illegal signs, zoning matters, such as illegal businesses or violation of zoning standards like setbacks, building coverage, height of structures, and signage; and non-compliance with the Uniform Building Code involving illegal wiring or plumbing, use of substandard building materials, or improper building construction, for example.

**17.59.030 Administration**

All department heads, officials or other employees of the City that are vested with the authority to issue and permit, license or certificate property improvements, use of property or maintenance of property, shall enforce the provisions of this Ordinance and shall not issue any permits, licenses, or certificates for uses, buildings or structures that are in conflict with this Ordinance. Any permit, license or certificate issued in conflict with this Ordinance, intentionally or otherwise, shall be null and void.

Procedures for the enforcement of code and nuisance violations are provided in the Farmersville Municipal Code Title 1, Chapter 1.12 (General Penalty).

## CHAPTER 61



## Definitions

### Sections

<b>17.61.010</b>	<b>Purpose</b>
<b>17.61.020</b>	<b>Objectives</b>
<b>17.61.030</b>	<b>Definitions</b>

### **17.61.010 Purpose**

Unless the text of this ordinance states otherwise, the following definitions shall be used in the interpretation and construction of this Ordinance. Words and phrases used in this ordinance shall be defined in Section 17.61.030 of this chapter.

### **17.61.020 Objectives**

The objectives of this chapter are as follows:

- A. Provide coherent and consistent explanation of the terms used in the Ordinance.
- B. Avoid misinterpretation of the regulations, procedures, and standards as put forth in the Ordinance.
- C. Introduce a common vocabulary to facilitate communication regarding the Ordinance.

**17.61.030 Definitions**

It is noted that individual chapters within this Zoning Ordinance may have definitions within the chapter that pertain to that particular subject matter. Individual chapters with definitions include the following

- Accessory Dwelling Units
- Adult Entertainment
- Signs and Advertising
- Marijuana cultivation, manufacturing, testing, transportation and distribution
- Wireless Telecommunication Equipment
- Recycling/Buyback Centers

“Abutting” shall mean two or more parcels sharing a common boundary of at least one point.

“Abandoned” shall mean to cease or suspend from developing or maintaining a building or use for a stated period of time.

“Access” shall mean safe, adequate, and usable ingress or egress to a property or use.

“Accessory Dwelling Unit” – see Section 17.41 (Special Uses).

“Accessory Structure” shall mean a structure containing no kitchen or bathroom and located upon the same lot or parcel as the principal use or structure to which it is an accessory. The structure is customary, incidental, and subordinate to the use of the principal building, or the principal use of the land. All accessory structures shall be constructed with, or subsequent to, the construction of the principal structure or activation of the principal use.

“Adult Day Program” shall mean any community-based facility or program that provides care to persons 18 years of age or older in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of these individuals on less than a 24-hour basis.

“Agricultural Accessory Structures” means those uses and structures customarily incidental and subordinate to the agricultural use of the land, including: barns, storage sheds, corrals, pens, fences, windmills, watering and feed troughs; the storage and use of farm implements, irrigation, and crop-protection equipment; the storage and use of fuels for heating buildings and operating farm equipment or appliances; water and waste water treatment facilities and systems for private uses and structures which are determined by the Planning Director to be necessary, customary, and incidental to the agricultural use of the lot or parcel. Agricultural accessory uses shall not include construction equipment storage yards.

“Agricultural Operations” means the cultivation and tillage of soil, dairying, the production, irrigation frost protection, cultivation, growing, harvesting, and processing of any agricultural commodity, including timber, viticulture, agriculture, horticulture, the raising of livestock, fur-bearing animals, fish, or poultry, and any commercial practices incidental to, or in conjunction with, such agricultural operations, including preparation for market, delivery to storage or to market, or to carriers for transportation to market.

“Alley” shall mean a public way permanently reserved as a secondary means of vehicular access to abutting property.

"Amendment" shall mean a change in the working, context, or substance of this chapter, an addition or deletion or a change in the district boundaries or classifications upon the zoning map.

“Ancillary Use” shall mean a use incidental to and customarily associated with a specific principal use, located on the same lot or parcel.

“Animal Hospital” shall mean a facility where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment; the ancillary use of the premises as a kennel or a place where animals or pets are boarded for remuneration.

“Annexation” shall mean the incorporation of a land area into an existing incorporated community with a resulting change in the boundaries of that community.

“Antenna” shall mean any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or receiving of electromagnetic radio frequency waves, including antennas or towers used for transmitting or receiving television, radio, citizen’s band or cellular phone communication. An antenna can be affixed to or supported by a roof or exterior wall of a building or other structure or an antenna can be ground mounted, which is supported by a platform, framework, pole, or other structural system that is affixed to or placed directly on or in the ground. This definition also means associated equipment including, but not limited to cabling, generators, fans, air conditioning units, electrical panels, equipment shelters, equipment cabinets, equipment buildings, pedestals, meters, vaults, splice boxes, and surface location markers.

"Applicant" shall mean a person who is required to file an application for a permit under this section.

“Application Rate” shall mean the depth of water applied to a given area, usually measured in inches per hour.

“Arcade” shall mean a place of business having four (4) more amusement machines.

“Area of Shallow Flooding” shall mean an area designated AO or VO AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one foot to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Assessor" shall mean the county assessor of the County of Tulare.

“Automated Teller Machine” (ATM) shall mean a computerized, self-service machine used by banking customers for financial transactions, including deposits, withdrawals and fund transfers, without face-to-face contact with financial institution personnel. These machines may be located at or within banks, or in other locations.

“Awning” shall mean a roof-like cover that is temporary in nature and that projects from the wall of a building for the purpose of shielding a door or window from the elements.

“Bar/Tavern” shall mean a business where alcoholic beverages are sold for on-site consumption, which is not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May also include beer brewing as part of a microbrewery, and other beverage tasting facilities. Does not include adult entertainment businesses.

“Base Flood” shall mean a flood having a one percent chance of being equaled or exceeded in any given year (also called the “100-Year Flood”). Base flood is the term used throughout this ordinance.

“Basement” shall mean any area of the building having its floor subgraded - i.e., below ground level on all sides.

“Bed And Breakfast Inn” (B&B) shall mean a building or group of buildings providing fifteen or fewer bedrooms or suites that are rented for overnight lodging, with a common dining area for guests.

“Block” shall mean the properties abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, unsubdivided land or water course.

"Breezeway" shall mean a roofed passageway, open on at least two (2) sides, where the roof is structurally integrated with the main building. A fence or wall not exceeding six (6) feet in height may be permitted on one side of said breezeway.

“Buildable Area” shall mean the area of a lot remaining after the minimum yard and open space requirements of the zone district have been met.

“Building” shall mean any structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals or chattels or property of any kind.

“Building Face” shall mean the exterior surface of any building, regardless of frontage.

"Building, height of" shall mean the vertical distance measured from the adjoining curb level to the highest point of the structure, exclusive of chimneys and ventilators; provided, however, that where buildings are set back from the street line, the height shall be measured from the average elevation of the finished grade at the front of the building.

“Building Permit” shall mean the written permission from the City of Farmersville for the construction, repair, alteration, or addition to a structure.

“Bulletin Board” shall mean a permanently constructed sign containing a surface area that may have interchangeable letters, words, or numerals displaying the name of the institution, events conducted upon and/or services offered upon such premises.

"Caretakers residence" shall mean a single-family residence on the same property with, or on abutting property owned by the owner of, an open space, commercial or manufacturing use, which residence is occupied by one (1) or more persons charged with the care or protection of facilities used in such open space, commercial or manufacturing use, and which residence is provided to the occupant as compensation for such services and for which he does not pay money or other things of value other than his services.

"Carport" shall mean a permanent roofed structure with not more than two (2) enclosed sides used or intended to be used for automobile shelter and storage. See also “Carport, Portable”.

“Carport, Portable” shall mean a portable attached or detached accessory structure used as a roof covering to protect vehicles or shelter goods and which may or may not be fixed to the ground and which is not designed or intended to be permanently affixed on a lot. Such accessory structures may be erected by the use of poles, ropes, stakes, or a combination of these items. Roof coverings may be constructed of various materials such as canvas, vinyl, metal sheeting or similar materials.

"Cemetery" shall mean land used or intended to be used for the burial of the dead and dedicated for such purposes, including columbariums, crematoriums, mausoleums and mortuaries when operated in conjunction with and within the boundaries of such premises.

“Church” shall mean a building, together with its accessory buildings and uses, where persons regularly assemble for worship and which building, together with its accessory buildings, and uses, is maintained and controlled by a religious body organized to sustain public worship.

"City" shall mean the City of Farmersville.

"City Manager" shall mean the city manager of the City of Farmersville.

“Club, Lodge, Or Private Meeting Hall” shall mean a permanent, headquarters-type and meeting facilities for organizations operating on a membership basis for the promotion of the interests of the members, including facilities for business associations; civic, social and fraternal organizations; labor unions and similar organizations; political organizations; professional membership organizations; and other membership organizations.

“Combining Districts” (Overlay Districts) means zones or geographical areas in Farmersville that may require special regulations or treatment due to unique features, resources or hazards. These districts may be combined with any district identified in this Ordinance.

“Commercial Accessory Structures” means uses and structures incidental and subordinate to the commercial use of the land including: equipment storage areas, trash storage areas and bins; vending machines; required loading and unloading facilities; outdoor tables, benches, umbrellas, fountains, ponds, statues, sculptures, paintings, and other works of art; radio and television antennas, private satellite dish antennas; the storage and use of fuels for fleet vehicles, heating buildings or for the operation of appliances or equipment used within a building; sales offices, showrooms and administrative offices; permitted signs; the storage and use of commercial fleet vehicles as part of the principal use; and other accessory uses and structures which are determined by the Planning and Building Director to be necessary, customary and incidental to the commercial use of the land.

“Commercial Recreation Facility – Outdoor” Means facilities for various outdoor recreational activities, where a fee is charged for use. Examples include: amusement and theme parks; fairgrounds; go-cart tracks; golf driving ranges; miniature golf courses; roller skating, hockey, skateboarding; and water slides. May also include commercial facilities customarily associated with the above outdoor commercial recreational uses, including bars and restaurants, video game arcades, etc.

"Commission" and "planning commission" shall mean the planning commission of the City of Farmersville.

“Communications Equipment Building” shall mean a building housing electrical and mechanical equipment necessary for the conduct of a public communication business with or without personnel.

“Conditional Use” shall mean a use permitted in a particular zoning district only upon showing that such use in a specified location will comply with all the conditions and

standards for the location or operation of such use as specified in the Ordinance and authorized by the Planning Commission.

“Convalescent Hospital Or Nursing Home” shall mean any place, structure, or institution providing for skilled nursing and allied professional health care, or for chronic or convalescent care for one or more persons, exclusive of relatives, in which nursing, dietary or other personal services are rendered to convalescents, invalids, or aged persons, who, by reason of advanced age, chronic illness, or physical infirmity are unable to properly care for themselves, but not including persons suffering from contagious or mental diseases, alcoholism, or drug addiction, and in which surgery is not performed and primary treatment, such as customarily is given in hospitals or sanitariums, is not provided.

“Convenience Store” shall mean a retail establishment with not more than four thousand five hundred square feet of gross floor area, offering for sale prepackaged food products, household items, newspapers and magazines, and sandwiches and other freshly prepared foods, such as salads, usually for off-site consumption.

"Council" and "city council" shall mean the city council of the City of Farmersville.

"Corner cut-off" shall mean the provision for and maintenance of adequate and safe visibility for vehicular and pedestrian traffic at all intersections of streets, alleys, or private driveways.

"County" shall mean the County of Tulare.

"County recorder" shall mean the county recorder of the County of Tulare.

"Day" shall mean calendar day.

“Day Care” means facilities that provide nonmedical care and supervision of adults or minor children for periods of less than twenty-four hours. These facilities include the following, all of which are required to be licensed by the California State Department of Social Services:

1. “Child day care center” means a commercial or nonprofit child day care facility designed and approved to accommodate fifteen or more children. Includes infant centers, preschools, sick-child centers, and school-age day care facilities. These may be operated in conjunction with a school or church facility, or as an independent land use.
2. “Large family day care home” means as provided by Health and Safety Code Section 1596.78, a home that regularly provides care, protection, and supervision for seven to fourteen children, inclusive, including children

under the age of ten years who reside in the home, for periods of less than twenty-four hours per day, while the parents or guardians are away.

3. “Small family day care home” means as provided by Health and Safety Code Section 1596.78, a home that provides family day care for eight or fewer children, including children under the age of ten years who reside in the home.
4. “Adult day care facility” means a day care facility providing care and supervision for adult clients.

“Dedication” shall mean the setting aside of land for a particular purpose, including roadway, park, or bikepath improvements; utility easements; or access routes for the public.

“Density” shall mean the number of families, individuals, dwelling units , or housing structures per unit of land.

“Density Bonus” means the California Density Bonus Law codified in Government Code Sections 65915 through 65918, which allows a density increase over the otherwise maximum allowable residential density under the applicable zoning ordinance and the land use element of the general plan as of the date of application. Density bonus percentages may range from five to thirty-five percent depending upon the percentage of low-income, very low-income, moderate-income housing units or large family housing units proposed for construction by a housing developer.

“Developer Incentives” means:

1. Reduce or eliminate standards contained in the Subdivision Ordinance or the City of Farmersville Standards and Specifications Manual
2. Reduce or eliminate Ordinance requirements, including open space, lot size, setback, or parking standards.
3. Reduce or eliminate any design requirements exceeding Uniform Building Code specifications.

“Development” shall mean any man-made changes to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

“Development Agreement” shall mean a contract duly executed and legally binding between the City of Farmersville and a developer that delineates the terms and conditions agreed upon by the two parties.

“Disabled Person” means a person who has a medical, physical, or mental condition that limits a major life activity, as those terms are defined in California Government Code section 12926, anyone who is regarded as having such a condition or anyone who has a record of having such a condition. It includes a person or persons, or an authorized representative of a disabled person. The term disabled person does not include a person who is currently using illegal substances, unless he or she has a separate disability.

“Disability” shall mean an individual with a disability is someone who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone with a record of such impairment.

"Drive-in restaurant" shall mean any building or structure in which food and drink are prepared for service to customers within such structure or occupying vehicles outside of such structures and including self-service restaurants for take-out food.

“Drive-Through Facility” shall mean a commercial facility where vehicles line up for service at definite spots and where customers are served from a window or similar feature without leaving their vehicles.

"Driveway" shall mean any vehicular access to an off-street parking or loading facility.

“Duplex” shall mean a structure on a single lot containing two dwelling units, each of which is totally separated from the other by a common wall that extends from ground to roof.

“Dwelling” shall mean a structure or portion thereof designed for or occupied for residential purposes whether for one family, several families, roomers or boarders, but for purposes of this definition specifically not to include automobile trailers, hotels, motels, labor camps, tents, railroad cars, converted, transit vehicles, mobile homes or any type of temporary structure.

“Dwelling, Multiple-Family” shall mean a structure containing more than one dwelling unit, designed for occupancy or occupied by more than one family.

“Dwelling, Single-Family” shall mean a building containing one dwelling unit.

"Easement" shall mean a space on a lot or parcel of land reserved for or used for public uses.

“Electric Distribution Substation” shall mean an assembly of equipment which is part of a system for the distribution of electric power where electric energy is received at a subtransmission voltage and transformed to a lower voltage for distribution for general consumer use.

“Electric Transmission Substation” shall mean an assembly of equipment which is part of a system for the transmission of electric power where electric energy is received at very high voltage from its source of generation by means of a network of high voltage lines, and where, by a means of transformers, said high voltage is transformed to a lower subtransmission voltage for purposes of supplying electric power to large individual consumers, interchange connections with other power producing agencies or electric distribution substations for transformation to still lower voltages for distribution to smaller individual users.

“Emergency Housing” (i.e. “Emergency Shelter”) means housing with minimal supportive services for homeless persons, and other interventions including: Navigation Centers, Bridge Housing, and respite or recuperative care. No individual or household may be denied emergency shelter because of an inability to pay.

"Employee housing" shall mean housing as described, defined, and regulated by the Employee Housing Act, Sections 17000 et seq. of the California Health and Safety Code. Employee housing providing accommodations for six or fewer employees shall be deemed a single-family structure and a residential use of the property by a single household per the requirements of California Health and Safety Code Section 17021.5. Employee housing for up to six persons per dwelling is permitted in the R-1 (Single Family Residential) zone and the RM (Multiple Family Residential) zones, subject to the same standards applicable to single-family homes in the same zone. In the UR (Urban Reserve) zone, employee housing is permitted for up to twelve (12) units or thirty-six (36) beds, subject to the same standards applicable to single-family homes in the same zone. Employee housing is permitted subject to the issuance of a permit by the State of California Department of Housing and Community Development as provided in California Health and Safety Code Sections 17021.5 and 17030. The permit shall be prominently displayed in the housing unit and shall be provided to any peace officer, City inspector or State inspector, upon demand.

"Essential service" shall mean the erection, construction, alteration, or maintenance by public utilities or municipal departments or commissions of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supplying, or disposal systems including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, but not including buildings reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions, or for the public health or safety or general welfare.

“Exceptional Structure” shall mean any structure or building having pre-eminent historical/cultural, architectural, archaeological, or aesthetic significance. Exceptional structures should be considered for nomination to the National Register of Historic Places.

“Extremely Low Income Household” means those units targeted for this category of household that shall be affordable at a rent that does not exceed 30 percent of 60 percent of the Tulare County median income.

“Façade” shall mean the exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

“Fair Housing Laws” means (1) the federal Fair Housing Act (42 U.S.C. section 3601 and following) and (2) the California Fair Employment and Housing Act (Government Code section 12955 and following), including amendments to them.

“Family” means one person or two or more individuals living together sharing household responsibilities and activities, which may include, sharing expenses, chores, eating evening meals together and participating in recreational activities and having close social, economic and psychological commitments to each other.

”Farmworker housing” means employee housing that contains a maximum of 36 beds if the housing consists of group living quarters and is occupied by employees and their households or contains a maximum of 12 residential units occupied by employees and their households. Farmworker housing is considered an agricultural land use and shall be permitted in any zone district which permits agricultural land uses. Permitted occupancy in farmworker housing may include agricultural employees who do not work on the property where the farmworker housing is located.

“Farming” see Agricultural Operations.

"Federal" shall mean the Government of the United States of America.

"Fence" shall mean any structural device forming a physical barrier which is so constructed that not less than fifty (50) percent of the vertical surface is open to permit the transmission of light, air, and vision through said surface in a horizontal plane. (For board or other solid barriers, see "Wall.").

“Flooding” shall mean a general and temporary condition or partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source.

“Flood Boundary And Floodway Map” shall mean the official map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administrative has delineated both the areas of special flood hazards and the floodway.

“Flood Hazard Boundary Map” shall mean the official map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administrative has delineated the areas of flood hazards.

“Flood Insurance Rates Map” shall mean the official map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administrative has delineated both the areas of special flood hazards and the risk of premium zones applicable to the community.

“Floodplain” or “Flood-Prone Area” shall mean any land area susceptible to being inundated by water from any source.

“Floodway” shall mean the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

“Floor Area, Gross” shall mean a sum of the gross horizontal areas, in square feet, of the floors of a building, including interior balconies and mezzanines, but not including the horizontal area occupied by any wall, inner court or shaft enclosure.

“Foster Family Home” shall mean any residential facility providing 24-hour care for six or fewer foster children that is owned, leased, or rented and is the residence of the foster parent or parents, including their family, in whose care the foster children have been placed. The placement may be by a public or private child placement agency or by a court order, or by voluntary placement by a parent, parents, or guardian.

“Garage, Private” shall mean an accessory structure or a portion of a main structure used only for the storage of self-propelled passenger vehicles or trailers by families residing upon the premises.

“Garage, Repair” shall mean a commercial structure or part thereof other than a private garage where motor vehicles are repaired or painted.

“Garage, Storage” shall mean a structure or part thereof used for the storage, parking or servicing of motor vehicles, but not for the repair thereof.

"Grade" shall mean the gradient, the rate of incline or decline expressed as a percent. For example, a rise of twenty five (25) feet in a horizontal distance of one hundred (100) feet would be expressed as a grade of twenty five (25) percent. (See also "Slope")

“Grading” shall mean any stripping, cutting, filling or stockpiling of soil.

"Hedge" shall mean a plant or series of plants, shrubs, or other landscaped material, so arranged as to form a physical barrier or enclosure.

“Historic Preservation” shall mean the protection, rehabilitation, and restoration of districts, sites, structures, buildings and artifacts significant in American history, architecture, archaeology or culture.

“Historical Structure” shall mean any structure or building having pre-eminent historical/cultural, architectural, archaeological, or aesthetic significance.

“Home Occupation” shall mean any use conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof or adversely affect the uses permitted in the residential district of which it is a part; which creates no additional vehicular or pedestrian traffic, requires no additional parking space, generates no noises audible beyond the site, causes no radio or television interference; where no persons are employed other than domestic help, and no mechanical equipment is used other than that necessary for domestic purposes; no materials, equipment and/or supplies are stored outdoors other than such storage normally associated with the residential use of the property. For purposes of this definition, the storage of a vehicle of not more than one (1) ton capacity shall be deemed as normally associated with residential use the property.

“Homemade foods business” shall mean a business conducted out of a residence where the occupants of the dwelling prepare and package certain types of food, operated in compliance with California Homemade Foods Act (as codified in Government Code section 51035), and the following City standards:

- (a) There shall be no employment of help outside the residents of the dwelling, except for one full time employee.
- (b) All food preparation in conjunction with a homemade food business must take place in the residence’s existing kitchen.
- (c) Prior to granting of a city business license the applicant shall obtain a permit from the Tulare County Environmental Health Department. The City business license shall not be effective until that permit or approval is obtained, and shall automatically expire if the other required permit or approval expires, is disapproved or is revoked.
- (d) A copy of the Tulare County Environmental Health Department permit to operate shall be provided to the city planning department within ten working days of the issuance of that permit or approval.

“Homeless Shelter” shall mean a church, public building, or quasi-public facility that provides emergency or temporary shelter to homeless individuals and/or groups. These accommodations may include temporary lodging, meals, laundry facilities, bathing, counseling, and other basic support services. Also referred to as emergency housing.

"Hospital" shall mean any building or portion thereof used for the accommodation and medical care of sick, injured, or infirm persons and including sanitariums, alcoholic sanitariums, institutions for the cure of chronic drug addicts and mental patients.

“Hotel” shall mean a structure or portion thereof in which there are individual guest rooms or suites, usually occupied on a transient basis, where lodging with or without meals is provided for compensation.

"Household pets" shall mean animals, birds, or fowl ordinarily permitted in a dwelling and kept only for the company or pleasure provided to the occupants. Household pets shall not include horses, cows, goats, sheep, other equine, bovine, ovine, or ruminant animals, pigs, predatory wild animals, chickens, ducks, geese, turkeys, game birds and fowl which normally constitute an agricultural use (except pigeons, which shall be deemed household pets). The keeping of household pets or other animals is lawful only in those districts where the use is listed as a permitted use or when any household pets are kept as an accessory use to lawfully maintained residences in other districts. The keeping of any animal not herein described as a household pet shall not be deemed an accessory residential use.

“Immediate Family” Immediate family shall include spouse, parent or step-parent, brother or step-brother or half-brother, sister or step-sister or half-sister, child or step-child, or grandparents.

“Industrial Accessory Structures” means those uses and structures incidental and subordinate to the industrial use of the land including: loading and unloading facilities and equipment, parking areas and shipping terminals; water and waste water treatment facilities and systems; incidental services swishes cafeterias; storage facilities and garages, sales office, showrooms, and administrative offices; radio and television antennas, private satellite dish antennas; the storage and use of fuels for fleet vehicles, heating buildings or for the operation of appliances or equipment used within a building; the storage of fully operative fleet vehicles, heavy equipment or trucks as part of the principal use; permitted signs; and other accessory uses and structures which are determined by the Planning and Building Director to be necessary, customary and incidental to the industrial use of the land.

“Institution” shall mean all governmental, religious, and charitable organizations.

“Junk Yard” shall mean a site or portion of a site which waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including used furniture and household equipment yards, house wrecking yards, used lumber yards and the like; excepting a site where such uses are conducted with a completely enclosed structure and excepting a motor vehicle wrecking yard as defined in this section. An establishment for the sale, purchase or storage of used cars or salvaged machinery in operable condition and the processing of used or salvage materials as part of a manufacturing operation shall not be deemed a junk yard.

“Labor Camp” means living quarters including dwellings, tents, bunkhouses, maintenance of way cars, trailer coaches or other housing accommodations, maintained

in connection with any work or place where work is being performed and the site on which they are located, and/or a site set aside and provided for camping of five (5) or more employees by a labor contractor; excepting farm employee housing as defined in this chapter Section.

"Loading space" shall mean an off-street space or berth on the temporary parking of commercial vehicles while loading or unloading, and which abuts a street, alley or other appropriate means of ingress and egress.

"Lodge Or Club" means an association of persons, whether incorporated or unincorporated, for some common purpose, but not including groups organized to render a service carried on as a business.

"Lot, Corner" (see Exhibit 61-1 for illustration of lot types) shall mean a site bounded by two (2) or more adjacent street lines which have an angle of intersection of not more than one hundred thirty five degrees (135°).

"Lot, Coverage" shall mean the portion of the lot covered by buildings and structures.

"Lot, Interior" (see Exhibit 61-1 for illustration of lot types) shall mean a lot other than a corner lot.

"Lot, Through" (see Exhibit 61-1 for illustration of lot types) shall mean a lot that fronts onto two parallel streets.

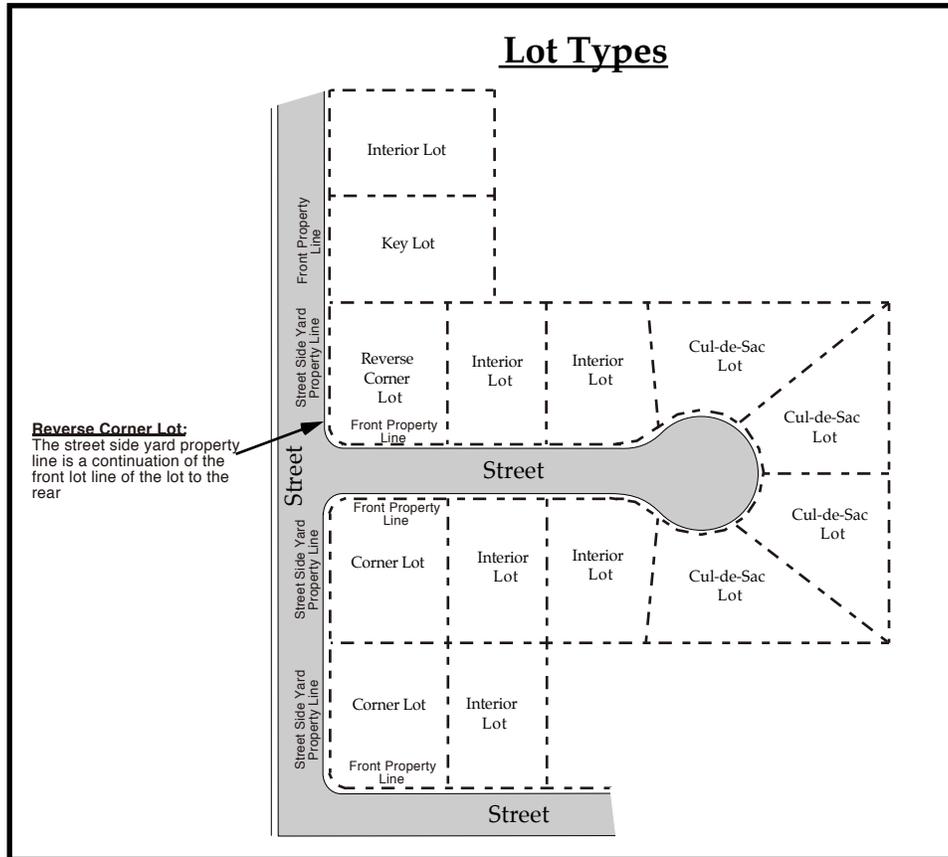
"Lot, Key" (see Exhibit 61-1 for illustration of lot types) shall mean the first lot to the rear of a reversed corner lot whether or not separated by an alley.

"Lot, Flag" shall mean a lot that typically does not front onto a public street but whose access to a public street is provided by a narrow strip of land upon which an easement for vehicular movement is provided.

"Lot, Reversed Corner" (see Exhibit 61-1 for illustration of lot types) shall mean a corner lot whose side street line is substantially a continuation of the front lot line of the first lot to its rear.

"Lot Line, Front" shall mean the property line dividing a lot from a street. On a corner lot the shorter street frontage shall be considered the front lot line.

**Exhibit 61-1: Typical Lot Types**



“Lot Line, Rear” shall mean the property line opposite the front lot line.

“Lot Line, Side” shall mean any lot lines other than front lot lines or rear lot lines.

”Low Barrier Navigation Center” means a Housing First, low barrier, temporary, service enriched shelter focused on helping homeless individuals and families to quickly obtain permanent housing. Low barrier includes best practices to reduce barriers to entry, such as allowing partners, pets, storage of personal items, and privacy.

“Manufacturing” shall mean a process that involves and/or produces basic metals, building materials, chemicals, fabricated metals, paper products, machinery, textiles, and/or transportation equipment, where the intensity and/or scale of operations may cause impacts on surrounding land uses or the community. Also manufacturing processes involving and/or producing: apparel; food and beverage products; electronic, optical, and instrumentation products; ice; jewelry; and musical instruments. Light manufacturing also includes other establishments engaged in the assembly, fabrication, and conversion

of already processed raw materials into products, where the operational characteristics of the manufacturing processes and the materials used are unlikely to cause significant impacts on surrounding land uses or the community.

“Massage Establishments” means any establishments wherein massage is given engaged in or carried on or permitted to be given, where the body is rubbed or there is any manipulation of the body or similar procedure given.

“Mean Sea Level” means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community’s Flood Insurance Rate Map are referenced.

“Medical Buildings” means clinics or offices for doctors, dentists, oculists, chiropractors, osteopaths, chiropodists, or similar practitioners of the healing arts; including accessory laboratories and a prescription pharmacy but not including offices for veterinarians.

“Minor Deviation” shall mean a reduction of a zoning standard by up to 20% that can be processed administratively.

“Mixed Use Project” shall mean a project that combines both commercial and residential uses, where the residential component is typically located above or behind the commercial.

“Mobile Home” shall mean a structure, transportable in one or more sections that is built on a permanent chassis and is designed to be used as a single-family dwelling unit with or without a foundation. Mobile Home does not include a recreational vehicle, travel trailer, commercial coach, or factory-built home.

“Mobilehome Park” shall mean a, area or parcel of land where three or more mobilehomes or mobilehome sites are rented or leased or held out for rent or lease for human habitation. Mobilehome parks may contain accessory facilities: including recreation facilities; meeting rooms; parking lots for boats, recreational vehicles, and other vehicles; administrative offices and other accessory structures associated with mobilehome parks.

“Motel” shall mean a structure or portion thereof or a group of attached or detached structures containing individual guest rooms, suites or dwelling units, usually occupied on a transient basis and usually with garage attached or parking space located in proximity to each unit, where lodging is provided for compensation.

“Motor Vehicle Wrecking Yard” shall mean a site or portion of a site on which the dismantling or wrecking of vehicles, whether self-propelled or not, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts is conducted. The presence on a site of two (2) or more motor vehicles which have not been capable of operating under their own power for thirty days or more or, in the case of vehicles not self-propelled,

which have not been towable or from which parts have been removed for reuse or sale, shall constitute prima facie evidence of a motor vehicle wrecking yard.

“Noise” means any undesired audible sound.

“Non-Conforming, Use” shall mean a non-conforming use is a use of a structure or land that was lawfully established and maintained prior to the adoption of the Farmersville Zoning Ordinance but which, does not conform with the current use regulations for the district in which it is located.

“Non-Conforming, Structure” shall mean a non-conforming structure is a structure that was lawfully erected prior to the adoption of the Farmersville Zoning Ordinance but which does not conform with the standards of coverage, setbacks, height or distance between structures prescribed in the regulations for the district in which the structure is located.

“Nuisance” shall mean an interference with the enjoyment and use of property.

“Nursery School” shall mean the use of a site or portion of a site for an organized program devoted to the education or day care of five (5) or more pre-elementary school age children other than those residing of the site.

“Nursing Home” shall mean a structure operated as a lodging house in which nursing, dietary and other personal services are rendered to convalescent, invalids, or aged persons not including persons suffering from contagious or mental diseases, alcoholism or drug addiction and in which surgery is not performed and primary treatment, such as customarily is given in hospitals and sanitariums, is not provided. A convalescent home or a rest home shall be deemed a nursing home.

“Open Space” means any parcel or area of land or water essentially unimproved and set aside, dedicated, designed or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

“Overlay Zone” shall mean a zone applied in combination with other zone districts in order to impose additional restrictions or to allow greater variety than is possible with the underlying zone.

“Parcel Map” shall mean the division of a lot, tract or parcel of land into four or fewer lots or parcels of land for sale, lease or financing. Commercial and industrial parcel maps may contain more than four lots.

“Permitted Use” shall mean any use or activity allowed in a zoning district and subject to the development standards applicable to that zoning district.

“Pitch” (or peak) shall mean the highest point as in the highest point of a roof.

"Planned unit development" shall mean a residential, commercial, or industrial development which is designed and built as a planned unit pursuant to the provisions of the "P", Planned Unit District (Chapter 17.39).

“Plat” shall mean a map representing a tract of land, showing the boundaries and location of individual properties and streets; a map of a subdivision or site plan.

"Police Chief" shall mean the Police Chief of the City of Farmersville or his or her designee.

“Porch” shall mean a roofed open area, which may be glazed.

“Pre-Zoning” means to delineate the zoning of an unincorporated territory prior to annexation by the City.

“Public Hearing” shall mean a meeting announced and advertised in advance and open to the public, with the public given an opportunity to testify and participate.

“Railroad Right-Of-Way” shall mean a strip of land for the accommodation of main line or branch line railroad tracks, switching equipment and signals, but not including lands on which stations, offices, storage buildings, spur tracks, sidings, section gang and other employee housing, yards or other uses are located.

“Reasonable Accommodation” means providing disabled persons flexibility in the application of land use and zoning regulations and procedures, or even waiving certain requirements, when necessary to eliminate barriers to housing opportunities. It may include such things as yard area modifications for ramps, handrails or other such accessibility improvements; hardscape additions, such as widened driveways, parking area or walkways; building additions for accessibility; tree removal; or reduced off-street parking where the disability clearly limits the number of people operating vehicles. Reasonable accommodation does not include an accommodation which would (1) impose an undue financial or administrative burden on the City or (2) require a fundamental alteration in the nature of the City’s land use and zoning program.

“Recreational Area” means an active play area, including sport fields, school yards, picnic grounds or other areas where sport, outdoor or recreational activities take place.

“Recreational Vehicle” shall mean a motor home, travel trailer, truck camper or camping trailer, with or without motor power, designed for human habitation for recreational purposes with a living area less than 220 square feet.

”Replacement Housing” means a dwelling unit designated to offset the loss of a dwelling unit currently included in the City’s Regional Housing Needs Allocation (RHNA)

inventory for lower-income households, pursuant to Assembly Bill (AB) 1397. Whenever a project results in the demolition, destruction or removal of a dwelling unit currently included in the City's RHNA inventory for lower-income households, the developer must identify an existing dwelling unit within the incorporated city or provide a new dwelling unit within the incorporated city as replacement RHNA inventory. The number of replacement dwelling units required shall be commensurate with the number of dwelling units lost through the project.

"Residential care home" means a state authorized, certified or licensed family care home or foster home serving mentally disordered or otherwise handicapped persons or dependent and neglected children on a twenty-four-hour basis. Residential care facilities shall meet the Zoning Ordinance requirements of a single-family dwelling in the same zone district.

"Residential Facility" means any family home, group care facility, or similar facility determined by the director, for 24-hour non medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual.

"Restaurant" shall mean any building or structure in which food and drinks are prepared for service to customers within such structure.

"Rest Home" shall mean a residential facility for six or more elderly or infirm persons, all of whom are independently mobile and do not require confinement or regular nursing or medical care on the premises. Rest home differs from a "convalescent hospital" in that it is expected to provide comfort, safety, social participation, and the maintenance of health and activity, but does not provide skilled nursing care for the ill.

"Retail store" shall mean a business selling goods, wares, or merchandise directly to the ultimate consumer.

"Rezone" means to change the zoning classification on a parcel of land from one zone district to another.

"Revocation" means to rescind a planning decision made by the Planning Director, Planning Commission or City Council, based on findings that supported non-compliance of certain conditions of approval.

"Right-Of-Way" shall mean a strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer and other similar uses.

"Roof line" shall mean the highest point of a parapet wall or the main roof structure or a highest point of a parapet wall other than such architectural features as cupolas, pylons, projections or minor raised portions of the roof.

"Room" shall mean an unsubdivided portion of the interior of a dwelling unit, excluding bathroom, kitchen, closets, hallways, and service porches.

"Satellite Dish Antenna" shall mean a satellite earth station consisting of a receiving component of a disc or similar configuration whose purpose is to receive television signals from orbiting satellites or other sources and a low-noise amplifier whose purpose is to magnify television signals.

"School" means any public or private educational facility including, but not limited to nursery schools, preschools, kindergartens, elementary schools, primary schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities. School includes the school grounds, but does not include the facilities used primarily for another purpose and only incidentally as a school.

"Secondhand store" shall mean a retail business which sells used merchandise.

"Service Station" shall mean a facility which supplies gasoline and diesel fuel to motor vehicles, and including grease racks or elevators, wash racks or pits, tire repairs, battery servicing and repairing, ignition service, sales of motor vehicle accessories and other customary services for automobiles, but excluding painting and body work.

"Senior Household" means those units that have at least one person occupying the residential unit that is at least 55 years of age or older.

"Setback Line" means that line that is the required minimum distance from the street right-of-way line or any other lot line that establishes the area within which the principal structure must be erected or placed.

"Setback": See "Yard, Front", "Yard, Rear", or "Yard, Side".

"Sewer" means any pipe or conduit used to collect and carry away sewage from the generating source to the waste water treatment facility.

"Shall" is mandatory; and "may" is permissive.

"Shopping center" means a group of two or more commercial uses planned and designed to function as an integral unit on a single parcel of contiguous parcels and which utilize common off-street parking and access, landscaping, loading facilities and points of ingress and egress.

“Single Room Occupancy Unit” shall mean a facility providing dwelling units where each unit has a minimum floor area of 150 square feet and a maximum floor area of 400 square feet. These dwelling units may have kitchen or bathroom facilities and shall be offered on a monthly basis or longer.

“Site” shall mean a parcel of land, subdivided or unsubdivided, occupied or to be occupied by a use or structure.

“Site Area” shall mean the total horizontal area included within the property lines of a site.

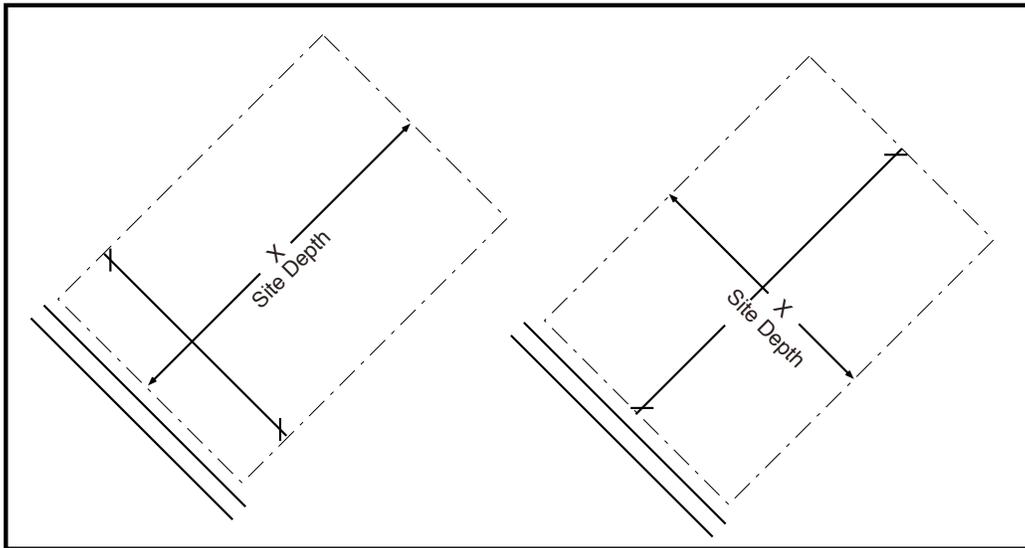
"Site plan" shall mean a plan, prepared to scale, showing accurately and with complete dimensioning, all of the uses proposed for a specific parcel of land. See Chapter 17.51 for requirements.

"Site plan review" shall mean the review by the commission or its authorized agent of a site plan and other studies to assist the commission or agent to determine the manner in which the applicant intends to make use of his property.

“Site Depth” (see Exhibit 61-2 for illustration of Site Width and Depth) means the horizontal distance between the front and rear property lines of a site measured along a line midway between the front side property line.

“Site Width” (see Exhibit 61-2 for illustration of Site Width and Depth) means the horizontal distance between the side property lines of a site measured at right angles to the depth at a point midway between the front and rear property lines.

**Exhibit 61-2: *Site Width and Depth***



"Slope" shall mean a natural or artificial incline, as a hillside or terrace. Slope is usually expressed as a ratio. For example, a horizontal distance of one hundred (100) feet with a rise of fifty (50) feet would be expressed as a 2:1 slope. (See also "grade" and "top and toe of slope.")

“Social Rehabilitation Facility” means any residential facility that provides social rehabilitation services for no longer than 18 months in a group setting to adults recovering from mental illness who temporarily need assistance, guidance, or counseling.

“Specific Plan” shall mean a plan for a designated area within the city, based on the general plan, but containing more detailed regulations and programs as provided in Section 65450 and following of the California Government Code.

“Stable” shall mean a detached accessory structure including but not limited to a corral or paddock for the keeping of one (1) or more horses owned by the occupants of the premises, and which are not kept for remuneration, hire or sale.

"State" shall mean the State of California.

“Stock Yard” means an enclosed area where animals are temporarily held for concentrated feeding or display preliminary to slaughtering, shipping or resale.

“Storm Water Runoff” means water flowing from impervious surfaces and entering Farmersville’s storm water drainage system, which is a series of curbs and gutter, drop inlets, storm drainage pipes, basins and waterways.

"Story" shall mean a space in a building between the surface of any floor and the surface of the floor next above, or if there be no floor above, then the space between such floor and the ceiling or roof above.

“Street” shall mean a thoroughfare, dedicated as such or acquired for public use as such, other than an alley, which affords the principal means of access to abutting land.

“Street, Arterial” shall mean a street with signals at important intersections and stop signs on side streets, and which collects and distributes traffic to and from collector streets.

“Street, Collector” shall mean a street that collects traffic from local streets and connects with minor and major arterials.

“Street, Cul-De-Sac” shall mean a street with a single common ingress and egress and with a turnaround at the end; non-through streets that serve local neighborhoods.

“Street, Dead End” shall mean a street with a single common ingress and egress.

“Street, Local” shall mean a street designed to provide vehicular access to abutting property and to discourage through traffic; narrow streets that serve local neighborhoods.

"Structural alteration" shall mean any change in the supporting members of a building, such as in a bearing wall, column, beam or girder, floor or ceiling joists, roof rafters, roof diaphragms, foundations, piles, or retaining walls, or similar components.

“Structure” means any object constructed, installed, or placed on real property by man, including, but not limited to buildings, towers, smokestacks, and overhead lines.

“Structure, Accessory” shall mean a detached subordinate structure located on the same site with the main structure or main use, the use of which is customarily incidental to that of the main structure or the main use of the land.

“Structure, Main” shall mean a structure housing the principal use of site or functioning as the principal use.

"Structure, temporary" shall mean a structure which is readily movable and used or intended to be used for a period not to exceed ninety (90) consecutive days.

“Subdivision” means the division of a lot, tract or parcel of land into five or more lots or parcels of land for sale, lease or financing.

“Substantial Damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations or state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or;
2. Any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.

“Supportive Housing” means housing with no limit on length of stay, that is occupied by the target population as defined in subdivision (d) of Section 53260 (of the Health and Safety code) and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community. Lower-income supportive housing facilities shall require recorded affordability restrictions (such as deed

restrictions and covenants) for 55 years, shall require at least 35 percent of units to be used for supportive housing, and nonresidential floor area shall be used for onsite supportive services. This housing may include apartments, single-room occupancy residences or single-family homes.

"Swimming pool" shall mean any permanent structure containing a body of water intended for recreational uses, and shall include wading pools.

"Target Households" means Very low income, low income, or senior citizen households.

"Tent Revival" shall mean a religious meeting or series of meetings which are often evangelistic in nature and are conducted within a non-permanent structure such as, but not limited to, a collapsible shelter of canvas or other material stretched and sustained by poles.

"Transitional Housing" means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months."

"Travel Trailer" shall mean a vehicle other than a motor vehicle, which is designed or used for human habitation and which may be moved upon a public highway without a permit or chauffer's license or both, without violating any provision of the California Vehicle Code.

"Truck service station" shall mean an occupancy which provides especially for the servicing of trucks, with incidental operations similar to those permitted for "automobile service station."

"Use" shall mean the purpose for which land or structures thereon is designed, arranged or intended to be occupied or used or for which it is occupied, maintained, rented or leased.

"Use by right" shall mean that the local government's review of the owner-occupied or multifamily residential use may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a "project" for purposes of Division 13 (commencing with Section 21000) of the California Public Resources Code.

"Utility Pole" means any pole or tower owned by any utility company that is primarily used to support wires or cables necessary to the provision of electrical or other utility services regulated by the California Public Utilities Commission.

"Vacancy Rate" means the number of uninhabited dwelling units that are available and suitable for occupancy expressed as a ratio to the total number of housing units.

“Variance” means permission to deviate from the literal requirements of the development standards of a zone district.

“Very Low Income Household” means those units targeted for this category of household that shall be affordable at a rent that does not exceed 30 percent of 50 percent of the Tulare County median income.

“Veterinary Clinics, Animal Hospitals, And Kennels” means office and indoor medical treatment facilities used by veterinarians, including large and small animal veterinary clinics, and animal hospitals. Kennels and boarding operations are commercial facilities for the keeping, boarding or maintaining of four or more dogs four months of age or older, or four or more cats, except for dogs or cats in pet shops.

"Warehousing" shall mean a building or buildings used for the storage of goods, of any type, when such building or buildings contain more than five hundred (500) square feet of storage space, and where no retail operation is conducted. Also see "wholesaling."

“Watercourse” shall mean a lake, river, creek, stream, wash, arroyo, channel, or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

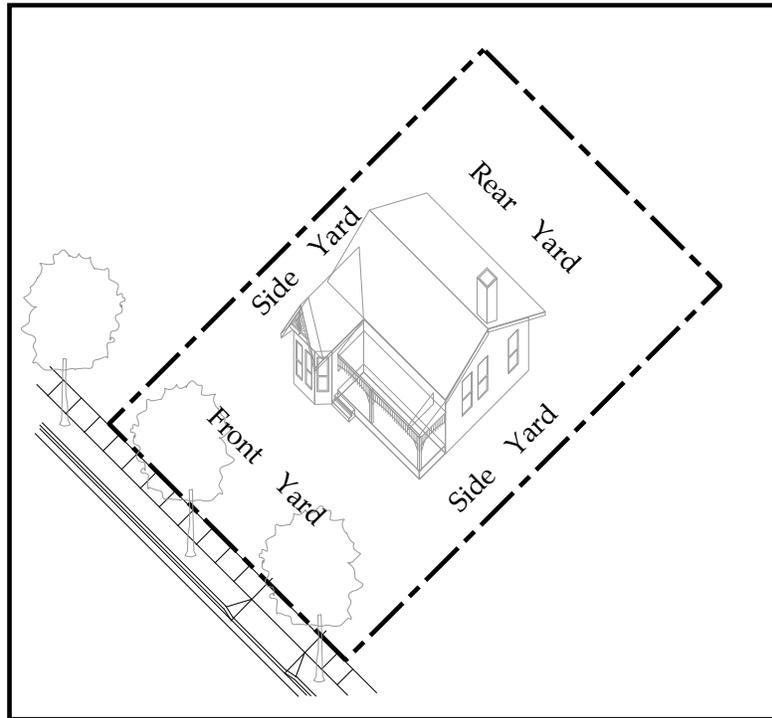
“Yard” means an open space on the same site as a structure other than a court unoccupied and unobstructed from the ground upward, except as otherwise provided in this chapter.

“Yard, Front” (see Exhibit 61-3 for illustration of yard types) shall mean a yard extending across the full width of the site or lot between the front lot line and the nearest line or point of the main structure.

“Yard, Rear” (see Exhibit 61-3 for illustration of yard types) shall mean a yard extending across the full width of the side of a lot between the rear lot line and the nearest line or point of the main structure.

“Yard, Side” (see Exhibit 61-3 for illustration of yard types) shall mean a yard extending from the front yard to the rear yard between the side lot line and the nearest line or point of the main structure.

**Exhibit 61-3: Yard Types**



“Zoning” means the division of a municipality into districts, and the regulation within those districts of the height, appearance, and bulk of buildings and structures; the area of a lot which may be occupied and the size of required open spaces; the density of population; and the use of buildings and land for commercial, agricultural, industrial, residential or other purposes. The term “zoning” shall be synonymous with the term “classification” and the term “zone” shall be synonymous with the term “district”.



# STAFF REPORT

Item #: 4  
Consent

TO: Farmersville City Council  
MEETING DATE: February 9, 2026

---

**DEPARTMENT:** City Manager

**FROM:** Daymon Qualls, City Manager

**AGENDA TITLE:** Adoption of Resolution No. 2026-001, A Resolution of the City Council of the City of Farmersville for Fiscal Year 2025-26 Transportation Development Act Claim by the City of Farmersville and Concurrence to a Claim by City of Visalia, Tulare County Regional Transit Agency, and Tulare County Association of Governments (TCAG)

---

## ACTION & RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 2026-001, for Fiscal Year 2025-26 Transportation Development Act claim by the City of Farmersville and concurrence to a claim by City of Visalia, Tulare County Regional Transit Agency (TCRTA), and Tulare County Association of Governments (TCAG).

## BACKGROUND | ANALYSIS

The Transportation Development Act (TDA), enacted in 1971, provides transit funding for local agencies from the Local Transportation Fund (LTF) and the State Transit Assistance (STA) Fund. LTF is funded through a ¼ cent general sales tax collected statewide and STA Fund is derived from a statewide sales tax on gasoline and diesel fuels and augmented by funds received via SB 1. The State of Good Repair (SGR) Program provides funding for eligible transit maintenance, rehabilitation and capital projects. The Tulare County Association of Governments (TCAG) approves the apportionments, accounting for transfer agreements between agencies, for transit services for each fiscal year. TCAG reviews the claims and instructs the County Auditor on payment of funds to each respective agency. The TCAG TDA Claims Manual was updated in 2024, requiring agencies to submit a resolution for the proposed claim and a resolution of concurrence from the agency contributing to the proposed claim. TCAG encourages that agencies utilize all transit only funds for operation of transit services prior to utilizing LTF as a match to funds. Once transit services have been fully funded, the remaining LTF balance may be transferred to streets and roads projects. For fiscal year 2025/26, TCAG apportioned the City of Farmersville STA funds in the amount of \$105,731.84, in addition to the \$568,332.63 in STA funds that were transferred back to the City from the Tulare County Regional Transit Agency (TCRTA) earlier this year. The City STA balance is \$674,064.47. The City of Visalia provides transit services for the City of Farmersville in accordance with the memorandum of understanding establishing a regional transit system serving the cities of Farmersville and Visalia.

Resolution No. 2026-01 will transfer \$591,011.68 in STA funds to the City of Visalia for transit operations within the City of Farmersville. The apportionment for State of Good Repair (SGR) this year is \$18,336.99 and has a balance of \$68,228.43, for total available funding of \$86,565.42, which can be utilized for eligible transit maintenance, rehabilitation and capital projects related to the operation of transit services. The apportionment for LTF is \$710,775.00 for fiscal year 2025/26 and the City has a balance of \$439,067.63 for a total amount available of \$1,149,842.60.

Resolution 2026-001 also proposes to transfer \$6,0025.68 of LTF funds for TDA Administration and \$21,303.53 for Planning Contributions to TCAG. In addition, the resolution will transfer \$20,441.51 in LTF funds to TCRTA for the administration of the Micro Transit Pilot Project within the City of Farmersville. Once

transit services have been fully funded, the remaining LTF balance may be transferred to street and road projects. Staff is seeking to claim \$1,000,000 in LTF for street and road projects.

**FISCAL IMPACT**

Adoption of Resolution No. 2026-001 will allow the City of Farmersville to fund transit operations for fiscal year 2025/26 with State Transit Assistance (STA) Funds transfer of \$591,011.68 to the City of Visalia, fund the administration of the Micro Transit Pilot Project in Farmersville with a transfer of \$20,441.51 of Local Transportation Fund (LTF) to Tulare County Regional Transit Agency (TCRTA), fund the Local Transportation Contribution with a transfer of LTF funds in the amount of \$21,303.53 and Project Coordination and Implementation in the amount of \$6,025.68 to Tulare County Association of Governments (TCAG), and claim \$1,000,000 in LTF funds for Streets and Roads.

**ATTACHMENTS**

1. Resolution 2026-001

Reviewed/Approved: 

**RESOLUTION NO. 2026-001**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERSVILLE FOR FISCAL YEAR 2025-26 TRANSPORTATION DEVELOPMENT ACT CLAIM BY THE CITY OF FARMERSVILLE AND CONCURRENCE TO A CLAIM BY CITY OF VISALIA, TULARE COUNTY REGIONAL TRANSIT AGENCY, AND TULARE COUNTY ASSOCIATION OF GOVERNMENTS**

WHEREAS, pursuant to Government Code Section 66500 et seq., the Tulare County Association of Governments ("TCAG") is the regional transportation planning agency for Tulare County; and

WHEREAS, the Mills–Alquist–Deddeh Act ("Transportation Development Act" or "TDA"), Public Utilities Code Section 99200 et seq., makes certain retail sales tax revenues available to eligible claimants for public transportation projects and purposes; and

WHEREAS, TCAG is responsible for the allocation of TDA funds to eligible claimants within the Tulare County region; and

WHEREAS, pursuant to Resolution No. 2024-039, TCAG requires a resolution of concurrence from each local agency contributing to the proposed claim for operating/capital transit project (s).

WHEREAS, the City of Farmersville is an eligible claimant of TDA funds; and

WHEREAS, for the fiscal year 2025-26, the City of Farmersville is allocated an estimated \$674,064.47 in State Transit Assistance ("STA") funds and \$1,149,842.60 in Local Transportation Funds ("LTF") and \$86,565.42 in State of Good Repair "SGR" funds; and

WHEREAS, for fiscal year 2025-26, the City of Visalia provides transit services for the City of Farmersville pursuant to an adopted Memorandum of Understanding; and

WHEREAS, during fiscal year 2025-26, the City of Farmersville was a member agency of the Tulare County Regional Transit Agency ("TCRTA"); and

WHEREAS, the TCRTA Joint Powers Agreement provides that the member agencies may authorize TCRTA to submit claims for its members' allocated TDA funds if unanimously approved by the directors present and voting at a meeting; and

WHEREAS, the Tulare County Regional Transit Agency's fiscal year 2025-26 transit budget, as amended, lists the amounts of and purposes for the fiscal year 2025- 26 TDA allocations requested.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Farmersville City Council does hereby authorize a FY 2025-26 TDA claim by the City of Visalia in the amount of \$591,011.68 in State Transit Assistance, subject to the TCAG 2025 TDA Claims Manual.
2. That the Farmersville City Council does hereby authorize a FY 2025-26 TDA claim by the Tulare County Regional Transit Agency in the amounts of \$20,441.51 in Local Transportation Funds, subject to the TCAG 2025 TDA Claims Manual.

3. That the Farmersville City Council does hereby authorize a FY 2025-26 TDA claim by the Tulare County Association of Governments in the amount of \$21,303.53 for Local Transportation Contribution and \$6,025.68 for Project Coordination and Implementation in Local Transportation Funds, subject to the TCAG 2025 TDA Claims Manual.

4. That the Farmersville City Council does hereby approve a FY 2025-26 TDA claim by the City of Farmersville for \$1,000,000 in Local Transportation Funds, subject to the TCAG 2025 TDA Claims Manual.

PASSED AND ADOPTED by the City Council of the City of Farmersville this 26th day of January 2026 by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
Tina Hernandez, Mayor

\_\_\_\_\_  
Rochelle Giovani, City Clerk



# STAFF REPORT

Item #: 1  
Public Hearing

TO: Farmersville City Council  
MEETING DATE: February 9, 2026

**DEPARTMENT:** City Manager

**FROM:** Daymon Qualls, City Manager

**AGENDA TITLE:** Adoption of Resolution No. 2026-002 Authorizing Submission of an Application for 2025 Community Development Block Grant (CDBG) Funding

## ACTION & RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 2026-002 authorizing submittal of an application to the California Department of Housing and Community Development (HCD) for CDBG Program funding up to the maximum allowable per the 2025 CDBG NOFA (Notice of Funding Availability)

## BACKGROUND | ANALYSIS

CDBG Program regulations require that the City conduct a public hearing on all CDBG-related matters to provide for and encourage citizen participation, particularly by low-and-moderate income persons who reside in areas in which CDBG funds are used. Therefore, when the public hearing is opened, the public will be invited to comment on the City’s proposed submittal of a 2025 CDBG Grant application, use of CDBG Program Income, and to make their comments known on the proposed activities.

A public notice was posted on January 26, 2026 on the City website, City Facebook page, at City Hall, and at the post office.

On September 30, 2025, and amended December 15, 2025, HCD released a NOFA announcing the availability of CDBG Program funds of approximately \$27 million from the 2025 funding allocation. Competitive Application submissions may be submitted from February 2, 2026 to April 3, 2026.

Eligible activities predominantly benefit low and moderate-income Californians and include: Housing Assistance Programs (Single-Family Homeownership Assistance, and Single-Family Housing Rehabilitation), Public Facility and Public Improvements projects (including Public Improvements in Support of New Housing Construction), Public Service Programs, Planning Studies, Economic Development Business Assistance and Microenterprise activities. The City may apply for a maximum of \$1,500,000 for program activities, \$300,000 for planning/public service and \$3,300,000 for project activities.

The City proposes to apply for CDBG funds for the following housing program activities:

Homebuyer Assistance	\$467,289.72
General Admin (max 7%)	\$ 32,710.28
<b>Total Homebuyer Assistance request</b>	<b>\$500,000.00</b>
Housing Rehabilitation	\$934,579.44
General Admin (max 7%)	\$ 65,420.56
<b>Total Housing Rehabilitation request</b>	<b>\$1,000,000.00</b>
<b>Total CDBG Request</b>	<b>\$1,500,000.00</b>

**FISCAL IMPACT**

The cost for preparation of the CDBG application by Self-Help Enterprises is \$4,000 and will be charged to Fund 01 – General Fund, Department 404, Account 5205 (Professional and Contractual Services)

**ATTACHMENTS**

1. Resolution No. 2026-002

Reviewed/Approved: 

# Resolution of the Governing Body

## RESOLUTION NO. 2026-002

### A RESOLUTION APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE 2025 FUNDING YEAR OF THE STATE CDBG PROGRAM

BE IT RESOLVED by the City Council of the **City** of Farmersville as follows:

#### **SECTION 1:**

The **City Council** has reviewed and hereby approves the submission to the State of California of one or more application(s) in the aggregate amount, not to exceed, of **\$1,500,000** for the following CDBG activities, pursuant to the and 2025 CDBG NOFA:

#### **List activities and amounts**

<b>Activity (e.g. Public Services, Infrastructure, etc.)</b>	<b>Dollar Amount Being Requested for the Activity</b>
Homeownership Assistance	\$ 500,000
Housing Rehabilitation	\$ 1,000,000
	\$
	\$
	\$

#### **SECTION 2:**

The **City Council** hereby approves the use of Program Income in an amount not to exceed **\$0** for the CDBG activities described in Section 1.

#### **SECTION 3:**

The **City Council** acknowledges compliance with all state and federal public participation requirements in the development of its application(s).

#### **SECTION 4:**

The **City Council** hereby authorizes and directs the **City Manager** or designee\*, to execute and deliver all applications and act on the **City's** behalf in all matters pertaining to all such applications.

**SECTION 5:**

If an application is approved, the **City Mayor** or designee\*, is authorized to enter into, execute and deliver the grant agreement (*i.e.*, Standard Agreement), any recordable or nonrecordable contract documents, and any and all subsequent amendments thereto with the State of California for the purposes of the grant.

**SECTION 6:**

If an application is approved, the **City Manager** or designee\*, is authorized to sign and submit Funds Requests and all required reporting forms and other documentation as may be required by the State of California from time to time in connection with the grant.

PASSED AND ADOPTED at a regular meeting of the **City Council** of the **City of Farmersville** held on 2/9/2026 by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
**Mayor Tina Hernandez**  
**City Council**

**STATE OF CALIFORNIA**  
**City of Farmersville**

I, **Rochelle Giovani**, **City Clerk** of the **City of Farmersville**, State of California, hereby certify the above and foregoing to be a full, true and correct copy of a resolution adopted by said **City Council** on this **9th** day of **February, 2026** and that said resolution has not been amended, modified, repealed, or rescinded since its date of adoption and is in full force and effect as of the date hereof.

Rochelle Giovani, **City Clerk** of the **City** of Farmersville,  
State of California

\_\_\_\_\_  
By: Rochelle Giovani, City Clerk



# STAFF REPORT

Item #: 2  
Public Hearing

TO: Farmersville City Council  
MEETING DATE: February 9, 2026

---

**DEPARTMENT:** City Manager

**FROM:** Daymon Qualls, City Manager

**AGENDA TITLE:** Adoption of Resolution No. 2026-003 authorizing the submittal of a 5-year plan amendment application, and acceptance and appropriation of Permanent Local Housing Allocation (PLHA) grant funds from the State of California for Year 4 (2022) and Year 5 (2023).

---

## ACTION & RECOMMENDATION

Staff recommends that the City Council approve Resolution No. 2026-003 authorizing the City Manager to execute the PLHA Program Plan Amendment Application, the PLHA Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the PLHA grant awarded to Applicant, as the Department may deem appropriate.

## BACKGROUND | ANALYSIS

On December 29, 2023, and amended October 15, 2024, January 15, 2025 and May 12, 2025, the California Department of Housing and Community Development (HCD) released a Notice of Funding Availability (NOFA) for approximately \$192 million in calendar years 2021 and 2022, as well as new CY 2023 funds in the amount of \$128.6 million for the Permanent Local Housing Allocation (PLHA) program for Entitlement and Non-entitlement Local governments. The NOFA is funded from moneys deposited in the Building Homes and Jobs Trust Fund (Fund) annually.

Funding for this NOFA is provided pursuant to Senate Bill (SB) 2 (Chapter 364, Statutes of 2017). SB 2 established the Fund and authorized HCD to allocate 70 percent of moneys collected and deposited in the Fund, beginning in calendar year 2019, to Local governments for eligible housing and homelessness-prevention activities. The intent of the bill is to provide a permanent, on-going source of funding to Local governments for housing-related projects and programs that assist in addressing the unmet housing needs of their communities.

PLHA allocations are distributed on an annual basis in response to an application defining the eligible planned use of funds for five years. In order to be awarded their PLHA funds allocation, local governments must provide a 5-year plan indicating the Activity(ies) for which PLHA funds will be spent. Should a local government desire to amend this 5-year plan, a plan amendment application must be submitted to HCD describing to which PLHA Activity the plan will be amended, and how funds will be used.

The City's initial 5-year plan allocated all PLHA allocations for Years 1-5 (2019-2023) for Activity 1 – development/construction expenses for affordable rental housing (Los Arroyos Apartments). Self-Help Enterprises (SHE) utilized the City's PLHA funds for the development and construction of Los Arroyos Apartments, which were completed in 2024 with Year 1-3 funds. Therefore, the City proposes to amend its 5-year plan to use its remaining PLHA allocation, Year 4-5 funds, for Activity 9 – homeownership opportunities, including, but not limited to, downpayment assistance.

Funds will be used to provide downpayment assistance/secondary financing to homebuyers participating in the construction of a single-family self-help housing subdivision to be located at W. Walnut Ave. (south side of Walnut Ave., west of Matthew Ave.) in Farmersville. This subdivision will consist of approximately 99 residential lots across a 19.5-acre site within City limits. The development will offer 99 single-family homes through Self-Help Enterprises' Mutual Self-Help Housing program, empowering families to participate in building their own homes under guidance from professional construction staff. Home sizes will range from 1,110 to 1,450 square feet. All homes produced will be marketed and sold exclusively to households earning at or below 80% area-median-income (AMI), upholding area affordability standards.

A maximum of five-percent (5%) of each annual allocation can be used to cover administrative costs associated with the administration of the plan and funds. Staffing and overhead costs directly related to carrying out eligible activities are "activity costs" not subject to the cap on "administrative cost".

Remaining PLHA allocation:

Year 4 (2022) - \$86,463

Year 5 (2023) - \$64,700

Total - \$151,163

Note – HCD's ability to award the City its Year 4 (2022) funds is contingent upon the City establishing Housing Element compliance with HCD by June 30, 2026.

#### **FISCAL IMPACT**

In lieu of an application preparation fee, the City will pass along the 5% max admin cap of each annual PLHA allocation to SHE for administration of these funds.

#### **ATTACHMENTS**

Resolution No. 2026-003

Reviewed/Approved: 

City of Farmersville

**AUTHORIZING RESOLUTION OF** City of Farmersville

**AUTHORIZING THE APPLICATION AND AMENDING THE PLHA PLAN FOR THE PERMANENT LOCAL HOUSING ALLOCATION PROGRAM**

All \_\_\_\_\_ of the  
Council Members \_\_\_\_\_ of  
the \_\_\_\_\_  
City of Farmersville \_\_\_\_\_ hereby consents to, adopts, and ratifies the following  
resolution:

- A. WHEREAS, the Department is authorized to provide up to \$296 million under the SB 2 Permanent Local Housing Allocation Program Formula Component from the Building Homes and Jobs Trust Fund for assistance to Cities and Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)).
- B. WHEREAS, the State of California (the "State"), Department of Housing and Community Development ("Department") issued a Notice of Funding Availability ("NOFA") dated 10/15/2024 under the Permanent Local Housing Allocation (PLHA) Program;
- C. WHEREAS, City of Farmersville is an eligible Local government who has applied for program funds to administer one or more eligible activities, or a Local or Regional Housing Trust Fund to whom an eligible Local government delegated its PLHA formula allocation.
- D. WHEREAS, the Department may approve funding allocations for PLHA Program, subject to the terms and conditions of the Guidelines, NOFA, Program requirements, the Standard Agreement, and other contracts between the Department and PLHA grant recipients;

**NOW THEREFORE BE IT RESOLVED THAT:**

- 1. If Applicant receives a grant of PLHA funds from the Department pursuant to the above referenced PLHA NOFA, it represents and certifies that it will use all such funds in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including without limitation all rules and laws regarding the PLHA Program, as well as any and all contracts Applicant may have with the Department.

2. Applicant is hereby authorized and directed to receive a PLHA grant, in an amount not to exceed the five-year estimate of the PLHA formula allocations, as stated in Appendix B of the current NOFA \$589,562 in accordance with all applicable rules and laws.
3. Applicant hereby agrees to use the PLHA funds for eligible activities as approved by the Department and in accordance with all Program requirements, Guidelines, other rules, and laws, as well as in a manner consistent and in compliance with the Standard Agreement and other contracts between the Applicant and the Department.
4. **Pursuant to Sections 302(c)(4) and 302(c)(5) of the Guidelines, Applicant's PLHA Plan Amendment for the 2019-2023 Allocations is attached to this resolution, and Applicant hereby adopts this PLHA Plan Amendment and certifies compliance with all public notice, public comment, and public hearing requirements in accordance with the Guidelines.**
5. **If applicable:** Applicant certifies that it was delegated by n/a to submit an application on its behalf and administer the PLHA grant award for the formula allocation of PLHA funds, pursuant to Guidelines Section 300(c) and 300(d), and the legally binding agreement between the recipient of the PLHA funds and the Applicant is submitted with the PLHA application.
6. **If applicable:** Applicant certifies that it has or will subgrant some or all of its PLHA funds to another entity or entities. Pursuant to Guidelines Section 302(c)(3), "entity" means a housing developer or program operator, but does not mean an administering Local government to whom a Local government may delegate its PLHA allocation.
7. **If applicable:** Applicant certifies that its selection process of these subgrantees was or will be accessible to the public and avoided or shall avoid any conflicts of interest.
8. **If applicable:** Pursuant to Applicant's certification in this resolution, the PLHA funds will be expended only for eligible Activities and consistent with all program requirements.
9. **If applicable:** Applicant certifies that, if funds are used for the acquisition, construction or rehabilitation of for-sale housing projects or units within for-sale housing projects, the grantee shall record a deed restriction against the property that will ensure compliance with one of the requirements stated in Guidelines Section 302(c)(6)(A), (B) and (C).
10. **If applicable:** Applicant certifies that, if funds are used for the development of an Affordable Rental Housing Development, the Local government shall make PLHA assistance in the form of a low-interest, deferred loan to the Sponsor of the Project, and such loan shall be evidenced through a Promissory Note secured by a Deed of Trust and a Regulatory Agreement shall restrict occupancy and rents in accordance with a Local government-approved underwriting of the Project for a term of at least 55 years.

11. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement, the PLHA Program Guidelines and any other applicable SB 2 Guidelines published by the Department.

12. City Manager or designee is/are authorized to execute the PLHA Program Application, the PLHA Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the PLHA grant awarded to Applicant, as the Department may deem appropriate.

PASSED AND ADOPTED at a regular meeting of the City of Farmersville this  
9th day of, February 2025, by the following vote:

AYES: \_\_\_\_\_ ABSTENTIONS: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

Signature of Approving Officer: \_\_\_\_\_  
\_\_\_\_\_

*INSTRUCTION:* The attesting officer cannot be the person identified in the resolution as the authorized signor.

#### CERTIFICATE OF THE ATTESTING OFFICER

The undersigned, Officer of Rochelle Giovani does hereby attest and certify that the City Clerk Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of the City of Farmersville which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed, or rescinded since its date of adoption and is in full force and effect as of the date hereof.

ATTEST: \_\_\_\_\_  
Signature of Attesting Officer

Rochellie Giovani, City Clerk  
Print Name and Title of Attesting Officer



# STAFF REPORT

TO: Farmersville City Council  
MEETING DATE: February 9, 2026

Item #: 1  
Discussion Items

---

**DEPARTMENT:** City Manager  
**FROM:** Daymon Qualls, City Manager  
**AGENDA TITLE:** Discussion and Direction on Proposed Farmers Market in the City of Farmersville

---

## ACTION & RECOMMENDATION

Staff recommends that the City Council discuss the proposed farmers market and provide direction on how to proceed with the event being hosted on private property (Ugly Company parking lot).

## BACKGROUND | ANALYSIS

Staff received a proposal from local community member Freddy Espinoza regarding the establishment of a farmers market within the City of Farmersville. The proposed market is intended to support local vendors, promote community engagement, and provide residents with access to fresh, locally sourced goods. Mr. Espinoza has indicated that the farmers market would operate as a for-profit business venture, which is an important consideration when evaluating the appropriate level of City involvement and use of public resources.

Initially, Mr. Espinoza identified two potential locations for the proposed farmers market:

1. Farmersville Museum property / White Church (City-owned property)
2. Ugly Company parking lot (privately owned property)

Staff and the City's management team reviewed both locations and evaluated the operational, logistical, and financial implications associated with each option. Subsequent to staff's review and prior to the item being brought forward to the City Council, the applicant advised staff that he is no longer interested in pursuing use of the City-owned Museum/White Church site and wishes to proceed exclusively with the Ugly Company parking lot.

### Private Property Location – Ugly Company Parking Lot

Hosting the farmers market on private property would substantially reduce the City's direct operational responsibilities and associated costs. While standard coordination, permitting, and compliance with applicable City regulations would still be required, the primary responsibility for site management, setup, operations, and ongoing maintenance would rest with the property owner and event organizer.

The Ugly Company parking lot offers adequate space, accessibility, and flexibility to accommodate vendors and patrons while minimizing impacts on City staff, public resources, and public safety operations. Use of this site also avoids potential traffic, access, and emergency response concerns associated with City-owned facilities.

Staff supports the concept of a farmers market as a community amenity and economic opportunity for the City of Farmersville. Staff also recognizes the potential for the market to grow over time and believes the Ugly Company parking lot provides a suitable location that can accommodate future expansion with minimal City involvement.

Staff seeks City Council discussion and direction regarding how to proceed with the proposed farmers market operating on private property.

## **FISCAL IMPACT**

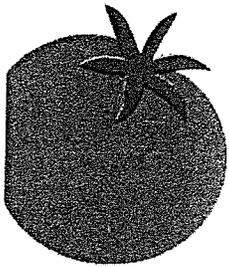
At this time, there is no direct fiscal impact associated with hosting the farmers market on private property beyond standard permitting, review, and oversight. The applicant's decision not to utilize City-owned property eliminates the need for ongoing City staffing, operational support, and associated costs previously evaluated.

## **ATTACHMENTS**

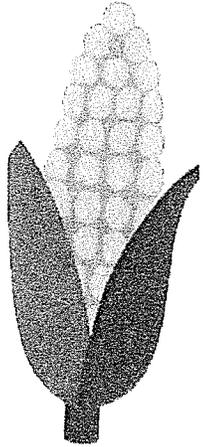
1. Farmersville Farmers Market Proposal – Received from Freddy Espinoza

Reviewed/Approved: 

# FARMERSVILLE FARMERS MARKET

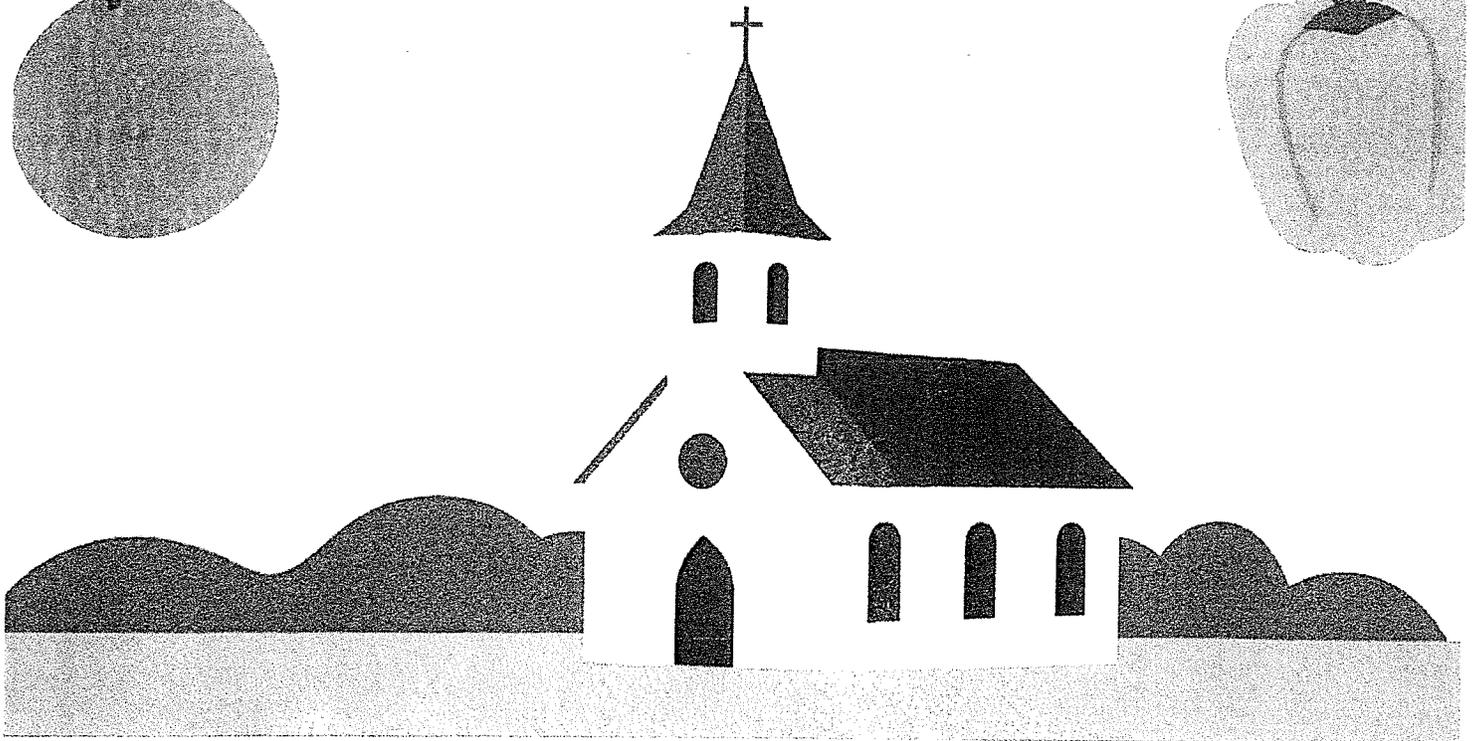
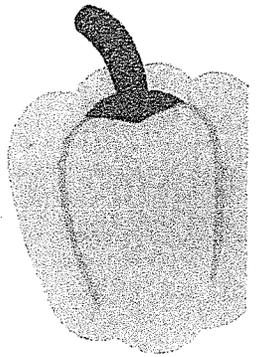
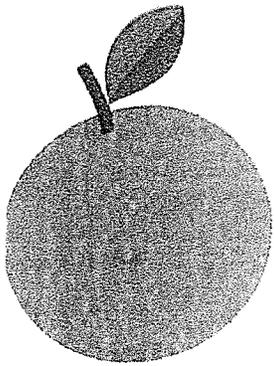


## PROPOSAL



Presented by

**Freddy Espinoza**



# Farmersville Farmers Market Proposal

## Introduction

I am proposing the establishment of a weekly Farmersville Farmers Market to bring local food, craftsmanship, and community activity into the heart of Farmersville. This event supports small businesses and provides a consistent, family-friendly experience for residents.

## Event Schedule

- Every Saturday
- March through the last week of October
- 5:00 PM – 9:00 PM
- Location: Parking lot of the Farmersville Museum ("The White Church")

## Event Layout

All vendors will be positioned together within the White Church parking lot for a clean and organized setup.

- Food trucks along the perimeter
- Craft and art vendors centered inside
- Clear walkways for foot traffic and emergency access

## Live Entertainment

The Farmers Market will feature live bands and music each Saturday to enhance the atmosphere.

## Operational Costs

- Two porta potties
- Liability insurance
- Health Department permits
- Generator rental (if needed)
- Rental cost for use of the White Church

## Growth & Expansion

As attendance grows, we will add more porta potties, additional support equipment, and other resources needed to sustain the expanding event safely and efficiently.

## Cleanup Crew Commitment

A cleanup crew will be on-site after each event to ensure trash removal and restore the property to its original condition.

## Vendor Pricing Structure

Standard pricing (based on Lindsay Market):

- \$25 per craft vendor
- \$75+ per food vendor
- \$25 monthly reservation fee

### **Introductory Pricing (First 3 Months)**

- Craft vendors: \$15 per Saturday
- Food vendors: \$50 per Saturday
- \$25 monthly reserve fee

### **Requests From the City**

To successfully launch this community market, we respectfully request:

- A discounted rental rate for the White Church — or the rental fee waived
- Access to city-provided trash cans
- Occasional police presence — not full-time, but enough to show visibility and support for safety

### **City Benefits**

- Weekly family-friendly event
- Support for local vendors and businesses
- Strong community engagement
- Live music and entertainment
- Activation of the historic White Church grounds
- Increased economic activity

### **Conclusion**

The Farmersville Farmers Market will be an organized, safe, and enjoyable community addition. I look forward to discussing this proposal and working with the city to bring it to life.

CRAFT VENDORS

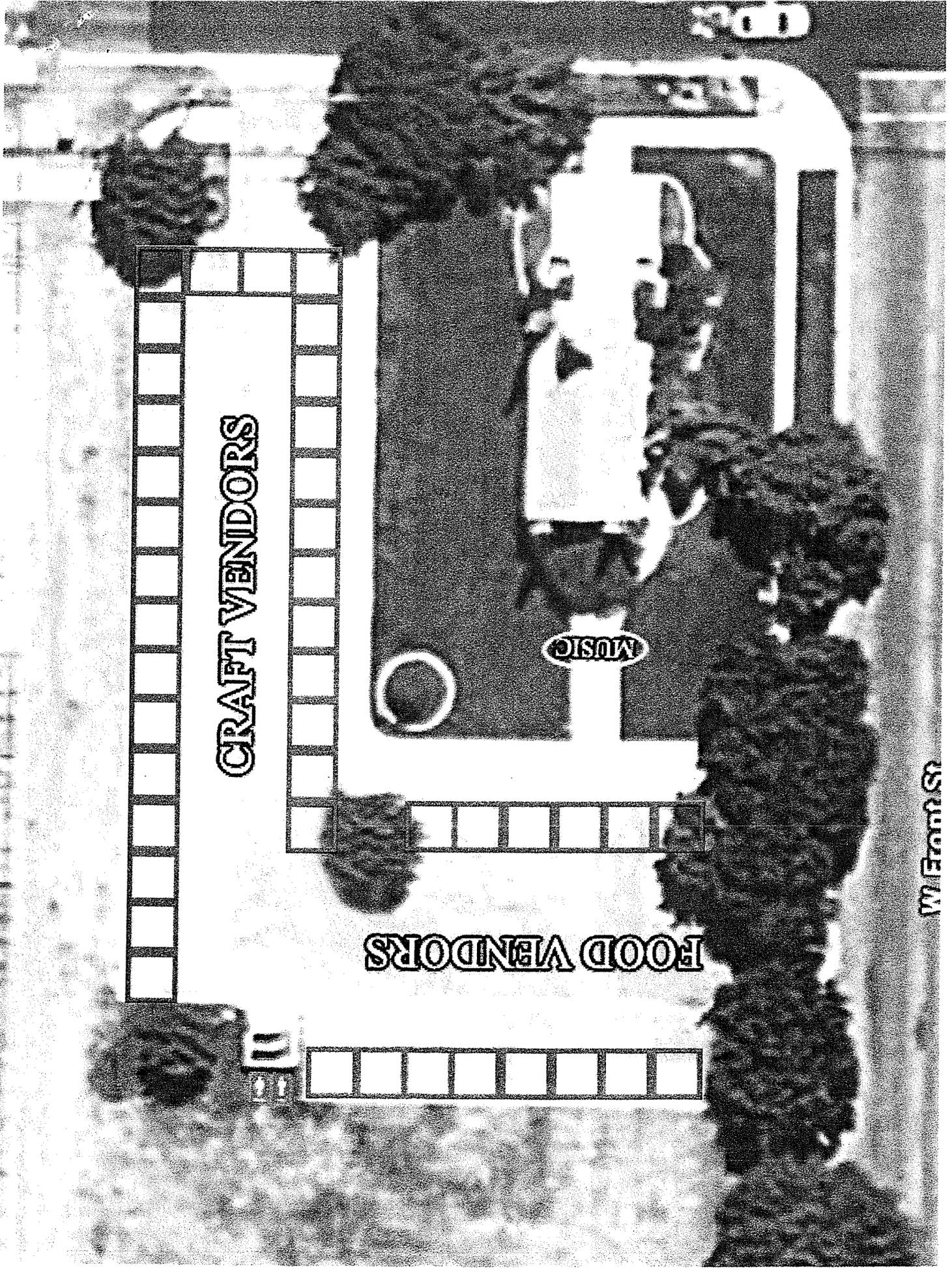
FOOD VENDORS

MUSIC

W. Front St

1000

1000





# STAFF REPORT

TO: Farmersville City Council  
MEETING DATE: February 9, 2026

Item #: 2  
Discussion Items

---

**DEPARTMENT:** Public Works  
**FROM:** Elsa Mejia, City Engineer  
**AGENDA TITLE:** Informational Presentation on a Letter of Map Revision (LOMR)

---

## ACTION & RECOMMENDATION

Staff recommends that the City Council receive and file the informational presentation.

## BACKGROUND | ANALYSIS

The Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program (NFIP) and is responsible for maintaining Flood Insurance Rate Maps (FIRMs). A Letter of Map Revision (LOMR) is an official amendment to an effective Flood Insurance Rate Map that reflects changes to floodplain boundaries, base flood elevations, or flood zone designations resulting from updated engineering analyses, physical changes to the landscape, or completed projects.

The LOMR discussed in this presentation was processed and approved by FEMA following a technical review of submitted data and does not require discretionary approval by the City Council. This item is provided solely to inform the Council and the public of the map revision and its general implications.

## FISCAL IMPACT

There is no fiscal impact associated with this informational item.

## ATTACHMENTS

1. Informational Presentation – FEMA Letter of Map Revision Overview
2. FEMA Letter of Map Revision (LOMR)

Reviewed/Approved: 



# Federal Emergency Management Agency

Washington, D.C. 20472

November 26, 2025

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable Tina Hernandez  
Mayor, City of Farmersville  
909 West Visalia Road  
Farmersville, CA 93223

IN REPLY REFER TO:

Case No.: 25-09-0374P  
Community Name: City of Farmersville, CA  
Community No.: 060405  
Effective Date of  
This Revision: **April 29, 2026**

Dear Mayor Hernandez:

The Flood Insurance Rate Map for your community has been revised by this Letter of Map Revision (LOMR). Please use the enclosed annotated map panel(s) revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals issued in your community.

Additional documents are enclosed which provide information regarding this LOMR. Please see the List of Enclosures below to determine which documents are included. Other attachments specific to this request may be included as referenced in the Determination Document. If you have any questions regarding floodplain management regulations for your community or the National Flood Insurance Program (NFIP) in general, please contact the Consultation Coordination Officer for your community. If you have any technical questions regarding this LOMR, please contact the Director, Mitigation Division of the Federal Emergency Management Agency (FEMA) Regional Office in Oakland, California, at (510) 627-7211, or the FEMA Mapping and Insurance eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP). Additional information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

Sincerely,

David N. Bascom, Acting Director  
Engineering and Modeling Division  
National Flood Insurance Program | Resilience

List of Enclosures:

Letter of Map Revision Determination Document  
Annotated Flood Insurance Rate Map

cc: Jason T. Britt  
Tulare County Administrative Officer

Rosanna Fransson, P.E., CFM  
Project Manager  
Tory R. Walker Engineering

Daymon Qualls  
City Manager  
City of Farmersville

Neil Hester  
DR Horton

Reed Schenke  
Resource Management Director  
Tulare County



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION DETERMINATION DOCUMENT

COMMUNITY AND REVISION INFORMATION		PROJECT DESCRIPTION	BASIS OF REQUEST
COMMUNITY	City of Farmersville Tulare County California	NO PROJECT	2D HYDRAULIC ANALYSIS UPDATED TOPOGRAPHIC DATA
	COMMUNITY NO.: 060405		
IDENTIFIER	Eagle Meadows	APPROXIMATE LATITUDE AND LONGITUDE: 36.297, -119.208 SOURCE: Other DATUM: NAD 83	
ANNOTATED MAPPING ENCLOSURES		ANNOTATED STUDY ENCLOSURES	
TYPE: FIRM* NO.: 06107C0962E DATE: June 16, 2009		NO REVISION TO THE FLOOD INSURANCE STUDY REPORT	

Enclosures reflect changes to flooding sources affected by this revision.

\* FIRM - Flood Insurance Rate Map

### FLOODING SOURCES AND REVISED REACHES

See Page 2 for Additional Flooding Sources

Deep Creek - from upstream of West Tulare Street to just downstream of West Visalia Road

### SUMMARY OF REVISIONS

Flooding Source	Effective Flooding	Revised Flooding	Increases	Decreases
Deep Creek	Zone A	Zone AE	YES	YES
	Zone X (shaded)	Zone AE	YES	YES
	No BFEs*	BFEs	YES	NONE
	Zone A	Zone A	YES	NONE

\* BFEs - Base Flood Elevations

### DETERMINATION

This document provides the determination from the Department of Homeland Security's Federal Emergency Management Agency (FEMA) regarding a request for a Letter of Map Revision (LOMR) for the area described above. Using the information submitted, we have determined that a revision to the flood hazards depicted in the Flood Insurance Study (FIS) report and/or National Flood Insurance Program (NFIP) map is warranted. This document revises the effective NFIP map, as indicated in the attached documentation. Please use the enclosed annotated map panels revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals in your community.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

David N. Bascom, Acting Director  
Engineering and Modeling Division  
National Flood Insurance Program | Resilience



**Federal Emergency Management Agency**  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

**OTHER FLOODING SOURCES AFFECTED BY THIS REVISION**

**FLOODING SOURCE(S) AND REVISED REACH(ES)**

Extension Ditch - from upstream of South Virginia Avenue to just upstream of North Farmersville Boulevard

**SUMMARY OF REVISIONS**

<b>Flooding Source</b>	<b>Effective Flooding</b>	<b>Revised Flooding</b>	<b>Increases</b>	<b>Decreases</b>
Extension Ditch	No BFEs	BFEs	YES	NONE
	Zone A	Zone AE	YES	YES
	Zone AH	Zone X (shaded)	NONE	YES
	BFEs	No BFEs	NONE	YES
	Zone X (shaded)	Zone AE	YES	YES
	Zone AH	Zone AE	YES	YES

\* BFEs - Base Flood Elevations

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

David N. Bascom, Acting Director  
Engineering and Modeling Division  
National Flood Insurance Program | Resilience



Federal Emergency Management Agency  
Washington, D.C. 20472

LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)

OTHER COMMUNITIES AFFECTED BY THIS REVISION

CID Number: 065066      Name: Tulare County, California

AFFECTED MAP PANELS			AFFECTED PORTIONS OF THE FLOOD INSURANCE STUDY REPORT
TYPE: FIRM*	NO.: 06107C0962E	DATE: June 16, 2009	NO REVISION TO THE FLOOD INSURANCE STUDY REPORT

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

David N. Bascom, Acting Director  
Engineering and Modeling Division  
National Flood Insurance Program | Resilience



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

### COMMUNITY INFORMATION

#### APPLICABLE NFIP REGULATIONS/COMMUNITY OBLIGATION

We have made this determination pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93-234) and in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, communities participating in the NFIP are required to adopt and enforce floodplain management regulations that meet or exceed NFIP criteria. These criteria, including adoption of the FIS report and FIRM, and the modifications made by this LOMR, are the minimum requirements for continued NFIP participation and do not supersede more stringent State/Commonwealth or local requirements to which the regulations apply.

#### COMMUNITY REMINDERS

We based this determination on the 1-percent-annual-chance flood discharges computed in the FIS for your community without considering subsequent changes in watershed characteristics that could increase flood discharges. Future development of projects upstream could cause increased flood discharges, which could cause increased flood hazards. A comprehensive restudy of your community's flood hazards would consider the cumulative effects of development on flood discharges subsequent to the publication of the FIS report for your community and could, therefore, establish greater flood hazards in this area.

Your community must regulate all proposed floodplain development and ensure that permits required by Federal and/or State/Commonwealth law have been obtained. State/Commonwealth or community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction or may limit development in floodplain areas. If your State/Commonwealth or community has adopted more restrictive or comprehensive floodplain management criteria, those criteria take precedence over the minimum NFIP requirements.

We will not print and distribute this LOMR to primary users, such as local insurance agents or mortgage lenders; instead, the community will serve as a repository for the new data. We encourage you to disseminate the information in this LOMR by preparing a news release for publication in your community's newspaper that describes the revision and explains how your community will provide the data and help interpret the NFIP maps. In that way, interested persons, such as property owners, insurance agents, and mortgage lenders, can benefit from the information.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

A handwritten signature in cursive script that reads "David N. Bascom".

David N. Bascom, Acting Director  
Engineering and Modeling Division  
National Flood Insurance Program | Resilience



Federal Emergency Management Agency  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

We have designated a Consultation Coordination Officer (CCO) to assist your community. The CCO will be the primary liaison between your community and FEMA. For information regarding your CCO, please contact:

Kathryn Lipiecki  
Director, Mitigation Division  
Federal Emergency Management Agency, Region IX  
1111 Broadway, Suite 1200  
Oakland, CA 94607-4052  
(510) 627-7211

**STATUS OF THE COMMUNITY NFIP MAPS**

We will not physically revise and republish the FIRM and FIS report for your community to reflect the modifications made by this LOMR at this time. When changes to the previously cited FIRM panel(s) and FIS report warrant physical revision and republication in the future, we will incorporate the modifications made by this LOMR at that time.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

A handwritten signature in cursive script that reads "David N. Bascom".

David N. Bascom, Acting Director  
Engineering and Modeling Division  
National Flood Insurance Program | Resilience



Federal Emergency Management Agency  
Washington, D.C. 20472

**LETTER OF MAP REVISION  
DETERMINATION DOCUMENT (CONTINUED)**

**PUBLIC NOTIFICATION OF REVISION**

A notice of changes will be published in the *Federal Register*. This information also will be published in your local newspaper on or about the dates listed below, and through FEMA's Flood Hazard Mapping website at [https://www.floodmaps.fema.gov/flm/bfe\\_status/bfe\\_main.asp](https://www.floodmaps.fema.gov/flm/bfe_status/bfe_main.asp).

**LOCAL NEWSPAPER**

Name: *Visalia Times-Delta / Tulare Advance-Register*

Dates: December 23, 2025 and December 30, 2025

Within 90 days of the second publication in the local newspaper, any interested party may request that we reconsider this determination. Any request for reconsideration must be based on scientific or technical data. Therefore, this letter will be effective only after the 90-day appeal period has elapsed and we have resolved any appeals that we receive during this appeal period. Until this LOMR is effective, the revised flood hazard determination presented in this LOMR may be changed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange (FMIX) toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

A handwritten signature in cursive script that reads "David N. Bascom".

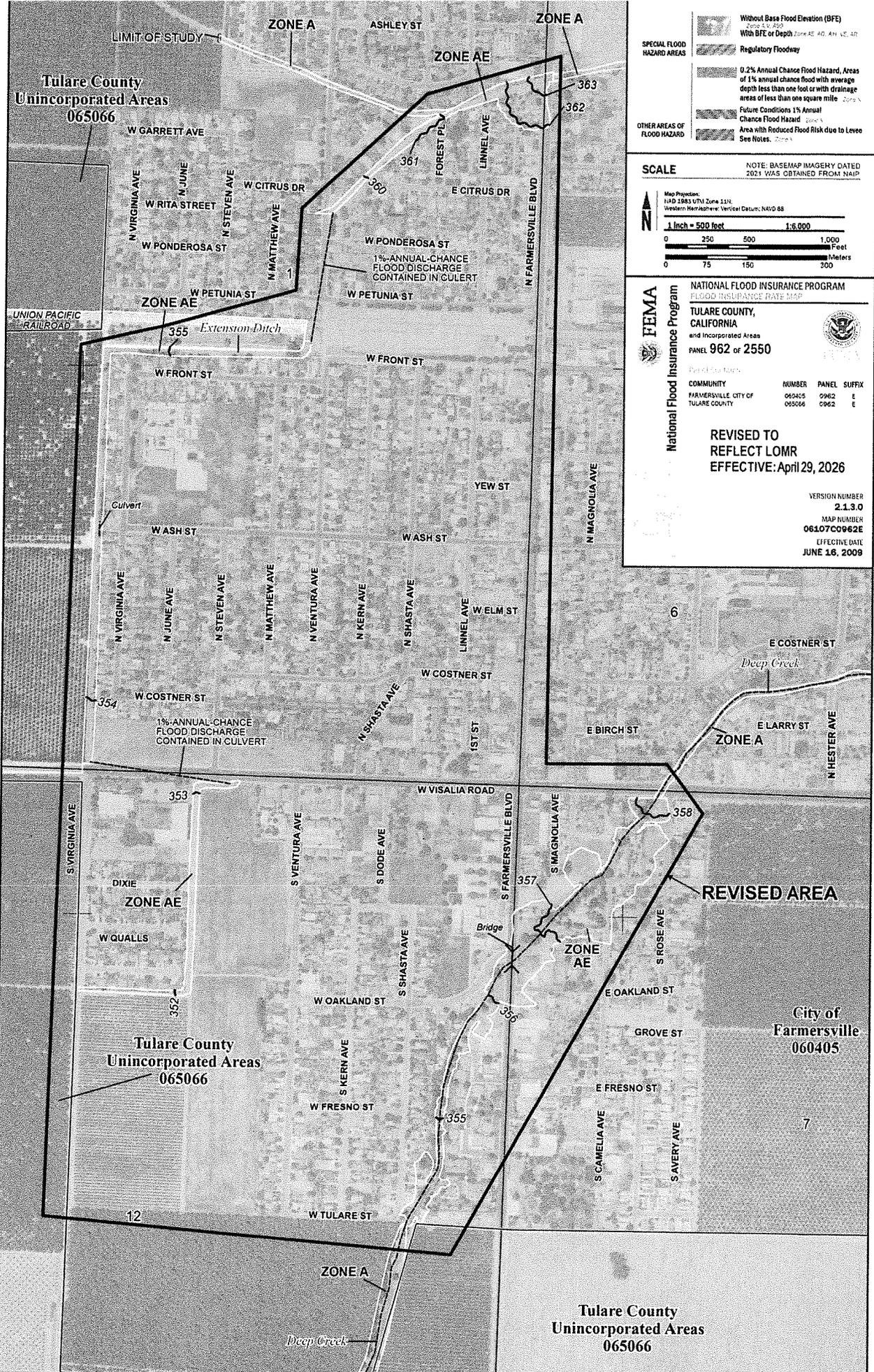
David N. Bascom, Acting Director  
Engineering and Modeling Division  
National Flood Insurance Program | Resilience

Tulare County  
Unincorporated Areas  
065066

UNION PACIFIC  
RAILROAD

Tulare County  
Unincorporated Areas  
065066

Tulare County  
Unincorporated Areas  
065066



**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE) Zone A, AE, AH, VE, AR
- With BFE or Depth Zone AE, AG, AH, VE, AR
- Regulatory Floodway
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone A
- Future Conditions 1% Annual Chance Flood Hazard Zone A
- Area with Reduced Flood Risk due to Levee See Notes, Zone A

**OTHER AREAS OF FLOOD HAZARD**

**SCALE**

NOTE: BASEMAP IMAGERY DATED 2021 WAS OBTAINED FROM NAIP

Map Projection:  
NAD 1983 UTM Zone 12N  
Vertical Datum: NAVD 88

1 Inch = 500 feet 1:5,000

0 250 500 1,000 Feet  
0 75 150 300 Meters

**FEMA**  
National Flood Insurance Program  
FLOOD INSURANCE RATE MAP

**TULARE COUNTY, CALIFORNIA**  
and Incorporated Areas  
Panel 962 or 2550

Community: FARMERSVILLE CITY OF TULARE COUNTY  
Number: 060405 065066  
Panel: 0962 0962  
Suffix: E E

**REVISED TO REFLECT LOMR**  
EFFECTIVE: April 29, 2026

VERSION NUMBER: 2.13.0  
MAP NUMBER: 06107C0962E  
EFFECTIVE DATE: JUNE 16, 2009



January 26, 2026

FARMERSVILLE  
Strong Roots • Growing Possibilities

# Letter of Map Revision

Floodplain Mapping Update  
City of Farmersville



# Purpose of Presentation

- Provide Council with an informational update on the recently issued FEMA Letter of Map Revision (LOMR)
- Explain
  - What a LOMR is
  - What changed within the City
  - What it means for residents, property owners and future development
- Discuss potential outreach considerations

# What is a Letter of Map Revision?

A LOMR is an official update issued by the Federal Emergency Management Agency (FEMA)

- **A LOMR revises Flood Insurance Rate Maps (FIRMS) based on the following:**
  - Updated engineering analysis
  - Improved flood modeling
  - New technical data
- **FEMA issued the City's LOMR on November 26, 2025 with an effective date of April 26, 2026**

# Why was the Map Updated and What Changed?

- **FEMA issued a LOMR to provide more precise floodplain mapping**
- **The updated modeling refines:**
  - Floodplain boundaries
  - Areas of shallow flooding
- **The revised map:**
  - Identifies areas with flood depths less than 1 foot (Zone X)
  - Provides area on where shallow flooding occurs
- **These updates support:**
  - Improvement in long-term planning decisions
  - Better informs residents and the development community
  - Aligns mapping with current flood conditions

# Flood Zone & Map Overview

The updated FEMA maps identify two primary flood designations within the City

- **Zone AE**
  - Areas where flooding exceeds 1 foot
  - Subject to FEMA floodplain regulations
- **Shaded Zone X**
  - Areas where flooding is less than 1 foot (0.0 – 0.9 feet)
  - Not a part of the regulatory floodplain but shallow flooding may occur



# Implications for Property Owners & Future Development

- **Property Owners**
  - Properties in Flood Zone AE may be subject to FEMA floodplain regulations and flood insurance requirements
  - Properties in Shaded Zone X are not required by FEMA to carry flood insurance
- **Future Development**
  - Current development and grading standards will require building pads to be elevated above modeled flood depths
- **Staff will:**
  - Use updated maps for planning and development review
  - Coordinate with the County on grading and floodplain standards
  - Evaluate options for resident communication

**Questions?**



# STAFF REPORT

TO: Farmersville City Council

MEETING DATE: February 9, 2026

Item #: 3  
Discussion Items

---

**DEPARTMENT:** Finance

**FROM:** Anthony Loza, Finance Director

**AGENDA TITLE:** Discussion of Estimated City Staffing and Resource and Costs for Community Events

---

## ACTION & RECOMMENDATION

Staff recommends that the Council receive and discuss information outlining estimated City staffing and resource costs associated with community events for informational purposes and future policy consideration.

## BACKGROUND | ANALYSIS

At the request of City Council, staff prepared an estimate of the typical internal costs associated with hosting City-sponsored community events. These estimates are intended to provide context for discussion and future planning and are not a cost-recovery analysis. Events reviewed include Christmas Tree Lighting, National Night Out, Fall Festival and the Memorial Day Parade.

City-sponsored events require coordination and participation from multiple departments, including Police, Public Works, Fire, and Administration. Departments were asked to provide estimated information for each event, including:

- Number of staff assigned and estimated hours worked
- Estimated regular and overtime hours
- Equipment usage or rental costs
- Outreach and promotional materials, including City-branded giveaways

All figures presented are planning-level estimates based on the FY 2025–26 budget forecast and standardized, fully loaded hourly rates. Based on information provided by departments, estimated total internal costs per event are as follows:

- Christmas Tree Lighting: approximately \$7,242
- National Night Out: approximately \$6,191
- Fall Festival: approximately \$16,301
- Memorial Day Parade: approximately \$16,301

Smaller events such as the Christmas Tree Lighting and National Night Out typically involve fewer staff and limited equipment needs. Larger events such as the Fall Festival and Memorial Day Parade require significantly higher staffing levels, expanded public safety presence, and additional equipment and logistical support. The estimates presented are subject to the following limitations and should be interpreted accordingly:

- Figures are estimates only and do not necessarily reflect actual wages paid; actual costs may be higher or lower depending on staffing assignments, event scope, and operational needs.
- Staff costs do not include department head time, nor do they fully capture administrative coordination efforts such as planning meetings, interdepartmental coordination, reporting, and post-event follow-up.
- Estimates do not include opportunity costs, meaning the value of staff time redirected from core field or office duties to support event operations is not quantified.

- Certain indirect or overhead costs (e.g., facilities, utilities, long-term equipment depreciation) are not included.
- This analysis represents a “what-if” planning scenario, not a full cost-allocation or cost-recovery study.

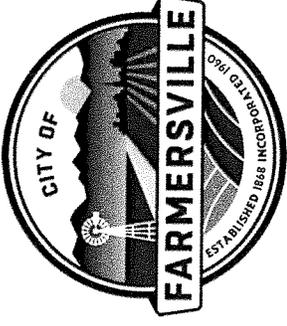
### **FISCAL IMPACT**

There is no immediate fiscal impact associated with this report. The information is intended to support policy discussions related to event planning, prioritization, staffing levels, and potential future cost-recovery.

### **ATTACHMENTS**

Community Event Cost Summary Estimate

Reviewed/Approved: 



## Summary of Costs Per Event:

Department / Cost Category	Christmas Tree Lighting	National Night Out	Fall Festival	Memorial Day Parade
Police – Staff Costs (Incl. OT)	\$2,480.00	\$2,480.00	\$9,716.00	\$9,716.00
Police – Giveaways / Outreach	\$300.00	\$300.00	\$300.00	\$300.00
Public Works – Staff Costs (Incl. OT)	\$378.00	-	\$972.00	\$972.00
Public Works – Materials / Advertising	\$673.00	-	-	-
Public Works – Equipment / Rentals	-	-	\$1,902.00	\$1,902.00
Fire – Staff Costs	\$379.80	\$379.80	\$379.80	\$379.80
Fire – Equipment Costs	\$2,300.00	\$2,300.00	\$2,300.00	\$2,300.00
Fire – Giveaways	\$250.00	\$250.00	\$250.00	\$250.00
Administration – Coordination	\$231.00	\$231.00	\$231.00	\$231.00
Administration – Giveaways	\$250.00	\$250.00	\$250.00	\$250.00
<b>TOTAL ESTIMATED COST PER EVENT</b>	<b>\$7,241.80</b>	<b>\$6,190.80</b>	<b>\$16,300.80</b>	<b>\$16,300.80</b>