

City of Farmersville
Planning Commission Agenda
September 16, 2020 • 6:00 p.m.

909 W. Visalia Road

Pursuant to Governor Newsom's Executive Order N-25-20,
the City of Farmersville will be allowing the public, staff, and City
Council to attend this meeting via teleconference.
Please dial 559-827-4929 to participate.

1. Call to Order.

2. Roll Call:

Casas: ___ Llamas: ___ Luna: ___ Valdovinos ___

3. Pledge of Allegiance.

4. Public Comments.

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

5. Approval of Minutes: August 19, 2020.

Motion: ___ Second: ___ All in Favor: ___ All Against: ___

6. Public Hearings

A. Continued hearing for Conditional Use Permit 2020-01. A request for a Conditional Use Permit to establish a smoke shop at 624 N. Farmersville Boulevard.
Resolution 2020-07.

Motion: ___ Second: ___ Casas: ___ Llamas: ___ Luna: ___ Valdovinos ___

B. Variance 2020-02 (Soto). A request for a Variance to allow reestablishment and expansion of a patio cover on a residence in a commercial zone at 2073 N. Farmersville Blvd. (Resolution 2020-08).

7. Other Business

A. Zoning Ordinance Update workshop. Kickoff meeting for an update of Farmersville's zoning code.

8. City Planner's Comments, Commissioner Comments.

9. Adjournment.

Next Planning Commission Meeting: Scheduled for October 21, 2020.

Next Resolution number: 2020-09.

Public Notification: Agenda posted 72 hours prior to meeting date

Date/Time posted: (September 11, 2020), 5:00 p.m.

Verified by _____

Upcoming City Council meetings:

September 28, October 12, 26

STAFF REPORT

FARMERSVILLE PLANNING COMMISSION

Date: September 16, 2020
To: Farmersville Planning Commission
From: Karl Schoettler, Planning Consultant
Subject: Continued hearing for Conditional Use Permit 2020-01 (Town Smokeshop (Samih))

Analysis

At the August 19, 2020 Planning Commission meeting the Commission conducted a public hearing to consider Conditional Use Permit 2020-01, a request for approval to establish a smokeshop in an existing commercial building located at 624 N. Farmersville Boulevard. Following discussion, the Commission voted to deny the Conditional Use Permit based primarily on the concern that there were already several smokeshops operating in Farmersville. Staff informed the Commission that a resolution to deny the permit would be brought back to the following meeting for consideration.

The attached Resolution has been prepared to allow the Commission to deny the Conditional Use Permit. There are three “findings” in the resolution; the Commission must be able to *not* make at least one of these findings to deny the permit. These findings are as follows:

1. *“The project is consistent with the Farmersville General Plan, Land Use Element and the Farmersville Zoning Ordinance”.* **ANALYSIS:** Smokeshops are permitted by Conditional Use Permit by the Farmersville Zoning Ordinance, therefore staff believes this finding can be made.
2. *“The project will not have a significant impact on the environment and is categorically exempt under Section 15301(a) of the Guidelines of the California Environmental Quality Act.”* **ANALYSIS:** The business was intended to occupy an existing commercial building with no exterior construction or improvements, and so the project is exempt from environmental review and therefore staff believes this finding can be made.
3. *“The project will not have an adverse impact on the health, safety and welfare of residents in the neighborhood or community.”* **ANALYSIS:** The Planning Commission appears to be concerned about negative impacts of another smokeshop opening in Farmersville. These impacts may be related to public health concerns, resulting from the availability of tobacco products and/or may be related to neighborhood deterioration, crime, etc. associated with an overabundance of smokeshops in the neighborhood or community. Therefore, the Commission may not be able to make a finding that the project

Farmersville Planning Commission 9/16/2020
Conditional Use Permit 2020-01 (Town Smokeshop (Samih))

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

It should be mentioned that any dissatisfied party can appeal the Commission’s decision by submitting a letter of appeal to the Farmersville City Clerk and paying the required fee, within ten days of the Commission’s decision (in this case, not later than the close of business (5pm) September 28, 2020).

The remainder of this report is the original staff report for the project dated August 19, 2020.

STAFF REPORT

FARMERSVILLE PLANNING COMMISSION

Date: August 19, 2020
To: Farmersville Planning Commission
From: Karl Schoettler, Planning Consultant
Subject: Conditional Use Permit 2020-01 (Town Smokeshop (Samih))

Summary/Recommendation

The applicant is requesting a Conditional Use Permit to operate a store that sells tobacco products, clothing, gifts and accessories. Stores that sell tobacco and tobacco-related merchandise as a primary item are required to apply for a Conditional Use Permit. It is recommended that the Planning Commission conduct a public hearing and vote to approve the request, subject to conditions of approval by adopting Resolution 2019-08.

Analysis

The applicant is seeking approval to establish a store that sells tobacco products along with gifts, clothing and accessories, in a retail space within an existing commercial building located in downtown Farmersville, on the east side of Farmersville Boulevard, south of Pepper Street.

The site is zoned CC (Central Commercial) and tobacco shops are permitted in this zone, subject to a Conditional Use Permit. It should be noted that the City Council reclassified tobacco sales as a conditionally permitted use several years ago. According to the applicant's submittal the store would be open from seven days a week from 9:00 am to 10:00 pm. Two persons will be employed by the store.

The City's main concern with tobacco sales is that they do not become a liability, do not negatively affect the surrounding area or the community at large, or promote the use of illegal substances.

The City cannot prohibit the sales of legal materials (all manner of tobacco, and smoking devices like water pipes, vaporizers, electronic cigarettes, cigarette rolling papers and the like). The City can require these items be kept behind the counter to reduce the chance of shoplifting and attraction to minors – and a condition is included in the resolution pertaining to this. In fact, for other tobacco shops, the Planning Commission has required that minors (those under 18) not be allowed into the store unless accompanied by an adult.

Map 1: Location



Map 2: Aerial Photo



The Police Department has reviewed the application. Their main concern (as with other previous smoke shops) is that the store not carry illegal merchandise and also that they not have a negative impact on children who visit other stores in the area. To address these concerns, it is recommended the following conditions be required:

Farmersville Planning Commission 9/16/2020
Conditional Use Permit 2020-01 (Town Smokeshop (Samih))

1. Minors (persons younger than 18 years) shall not be permitted into the store unless accompanied by an adult.
2. Tobacco products (and materials designed to be used with tobacco products) shall be kept behind the counter or otherwise in a location where they must be retrieved by an employee for view by customers.
3. The applicant shall submit a floor plan of the proposed store that shows proposed layout and product display areas and fixtures, prior to granting of a business license.
4. There shall be no display of products outside the store. Window signs or displays affixed to the window shall cover/occupy no more than 25% of the window surface.
5. The store shall include signs stipulating that smoking devices are to be used for tobacco products only.
6. The applicant shall prohibit loitering around the exterior of the store.
7. Prior to opening the applicant shall request an inspection of the store by the Farmersville Police Department.
8. The store shall be subject to periodic inspection by the Farmersville Police Department. If the store is found to be in violation of any conditions of approval, or of local, state or federal laws concerning controlled substances, this shall be grounds for termination of the Conditional Use Permit.

With the store being subject to the conditions above (including periodic inspections by the Police Department) staff recommends approval of the Conditional Use Permit.

BACKGROUND INFORMATION

Applicant: Kaiser Samih
329 NE Third Avenue
Visalia, CA 93291

Property
Owner: Mohammad Ghani
1414 N. Vickie St.
Visalia, CA 93291

Location: The subject site is an existing commercial building on the east side of Farmersville Boulevard, south of Pepper Street. The Assessor Parcel Number is 129-131-018.

Request: The applicant is requesting approval for a Conditional Use Permit to operate a store that sells tobacco products, gifts, clothing and accessories. Specific products to be sold, as identified by the applicant include:

-cigarettes
-cigars

Farmersville Planning Commission 9/16/2020
Conditional Use Permit 2020-01 (Town Smokeshop (Samih))

- bagged tobacco
- chewing tobacco
- hookah tobacco
- rolling paper
- posters/frames
- clothing
- body jewelry
- tobacco accessories
- water pipes
- tobacco pipes
- butane
- vaporizers
- electronic cigs
- e-juice
- water pipe accessories/attachments

Site: The site is a retail space within an existing commercial building in downtown Farmersville. The space contains approximately 1,380 square feet. Adjacent uses include commercial businesses on the north, south and west, and single family residential homes to the east.

Surrounding land uses are as follows:

- North: Commercial
- South: Automated car wash
- East: Single family dwellings
- West: Commercial

Zone: The site is currently zoned CC (Central Commercial). This zone is intended for a variety of commercial uses that are suitable in the downtown, including stores, restaurants and offices, among other uses.

Surrounding zone classifications are as follows:

- North: CC (Central Commercial)
- South: CC (Central Commercial)
- West: CC (Central Commercial)
- East: R-1 (Single Family Residential)

General Plan: The site is designated "Central Commercial" by the Land Use Element of the 2025 Farmersville General Plan. The CC zone is consistent with this designation.

Farmersville Planning Commission 9/16/2020
Conditional Use Permit 2020-01 (Town Smokeshop (Samih))

- Access:** Access to the site is primarily provided by Farmersville Boulevard. This street is classified as an Arterial roadway and in the vicinity of the site features two lanes in each direction, along with curbs, gutters and sidewalks, along with on-street diagonal parking. There is also an alley to the rear of the site. There is some unimproved space for parking to the rear of the building but sufficient parking exists on the street along Farmersville Boulevard.
- Infrastructure:** The site is currently served with City water, sewer and storm drainage lines.
- Services:** Police and fire protection are provided by the City of Farmersville.
- Environmental:** The project is considered to be exempt from review for environmental impacts under the California Environmental Quality Act (CEQA) – Section 15301 (a) (Re-use of existing buildings with minimal changes).

RESOLUTION 2020-07

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

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
FARMERSVILLE DENYING CONDITIONAL USE PERMIT 2020-01 (TOWN
SMOKESHOP (SAMIH)) FOR THE ESTABLISHMENT OF A RETAIL
TOBACCO/SMOKE SHOP.**

WHEREAS, a Conditional Use Permit was requested by Kaiser Samih to establish a retail store selling tobacco, tobacco products and other merchandise in an existing commercial building located at 624 N. Farmersville Boulevard. The Assessor Parcel Number is 129-131-018, and

WHEREAS, the proposed store would operate from 9 am to 10 pm, seven days per week, and

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

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

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

WHEREAS, the Planning Commission held a public hearing on this Conditional Use Permit on August 19, 2019 and accepted testimony. Based on concerns expressed at the meeting the Commission voted to continue the hearing to September 16, 2020.

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

1. The project is consistent with the Farmersville General Plan, Land Use Element and the Farmersville Zoning Ordinance.
2. The project will not have a significant impact on the environment and is categorically exempt under Section 15301(a) of the Guidelines of the California Environmental Quality Act.

Farmersville Planning Commission
Resolution 2020-07
Conditional Use Permit 2020-01 (Town Smokeshop (Samih))

3. The project may have an adverse impact on the health, safety and welfare of residents in the neighborhood or community.

NOW, THEREFORE BE IT RESOLVED THAT Conditional Use Permit 2020-01 is denied.

Any person dissatisfied with the decision of the Commission may appeal the decision to the City Council by submitting a letter of appeal to the Farmersville City Clerk no less than ten days after the Commission's decision (not later than 5:00 pm on September 28, 2020).

The foregoing resolution was adopted upon a motion of Commissioner _____, second by Commissioner _____, at a regular meeting of the Farmersville Planning Commission on the 16th of September, 2020, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chairperson, Farmersville Planning Commission

Secretary, Farmersville Planning Commission

STAFF REPORT

FARMERSVILLE PLANNING COMMISSION

Date: September 16, 2020
To: Farmersville Planning Commission
From: Karl Schoettler, Planning Consultant
Subject: Variance 2020-02 (Soto)

Recommendation

The request is a Variance to allow the reconstruction (and expansion) of a patio cover on the rear of a residential dwelling in a commercial zone, located at 2073 N. Farmersville Boulevard. It is recommended the Planning Commission deny the Variance by adopting Resolution 2020-08.

Discussion/Analysis

The applicant is seeking a Variance to allow the reconstruction and significant expansion of a patio cover on the rear of a residential dwelling located in a commercial zone at 2073 N. Farmersville Boulevard (see Map 1 and Map 2 for location).

The site is zoned C-S (Service Commercial) and has several businesses in addition to the house existing as a residential unit. The applicant was found by the City's Code enforcement officer constructing the patio cover without a permit. The applicant was repeatedly informed they needed to apply for a building permit but upon doing so it was determined the patio cover was in violation of the commercial zoning of the site.

The Zoning Ordinance's "non conforming use" regulations provide that a non-conforming use (in this case a residential dwelling in a commercial zone) cannot be expanded. The unit can continue to be lived in, but cannot be expanded.

According to the applicant the house previously had a smaller patio cover. Staff indicated the City would be willing to allow reconstruction of that patio cover but not a larger one.

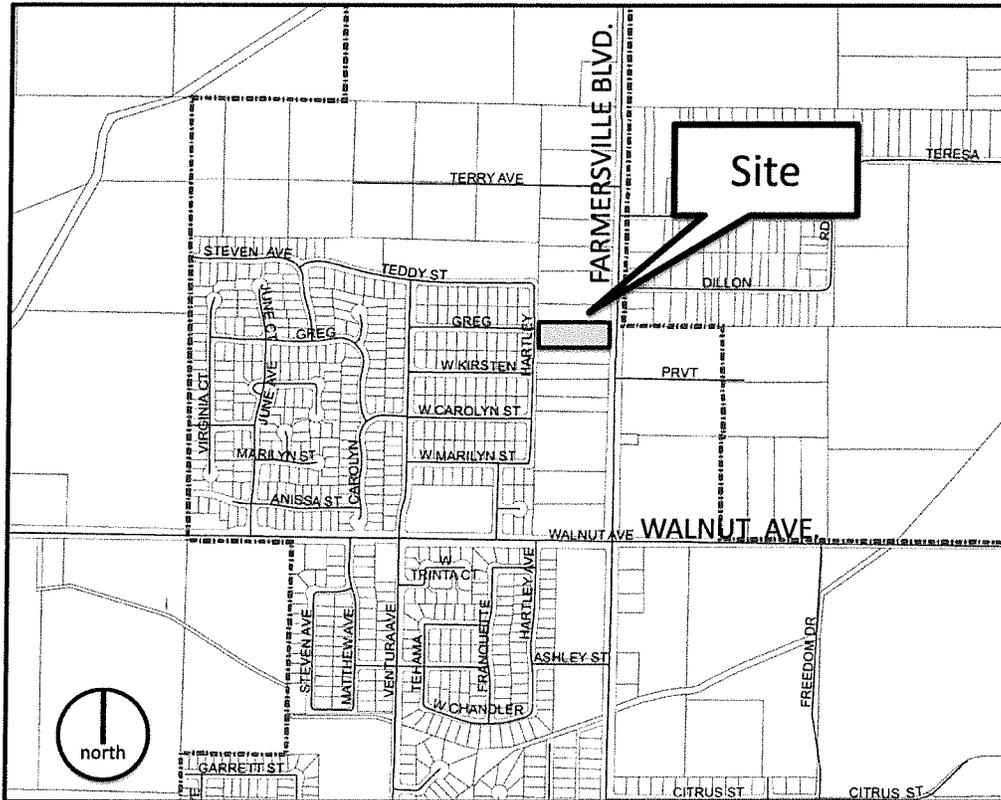
The proposed patio cover measures approximately 3,648 square feet, whereas the previous cover was less than half that size, at around 1,150 square feet.

At this point the applicant has decided to apply for a Variance to allow the larger patio cover.

Report to Farmersville Planning Commission
Variance 2020-02 (Soto)

In order to grant a Variance the Planning Commission must be able to make five “findings” that are listed in Section 17.100.040 of the Zoning Ordinance. Staff does not believe that these findings can be made, and therefore the Variance should be denied. The findings and an analysis of each are listed on the following pages.

Map 1: Project Location



Report to Farmersville Planning Commission
Variance 2020-02 (Soto)

Map 2: Aerial Photo

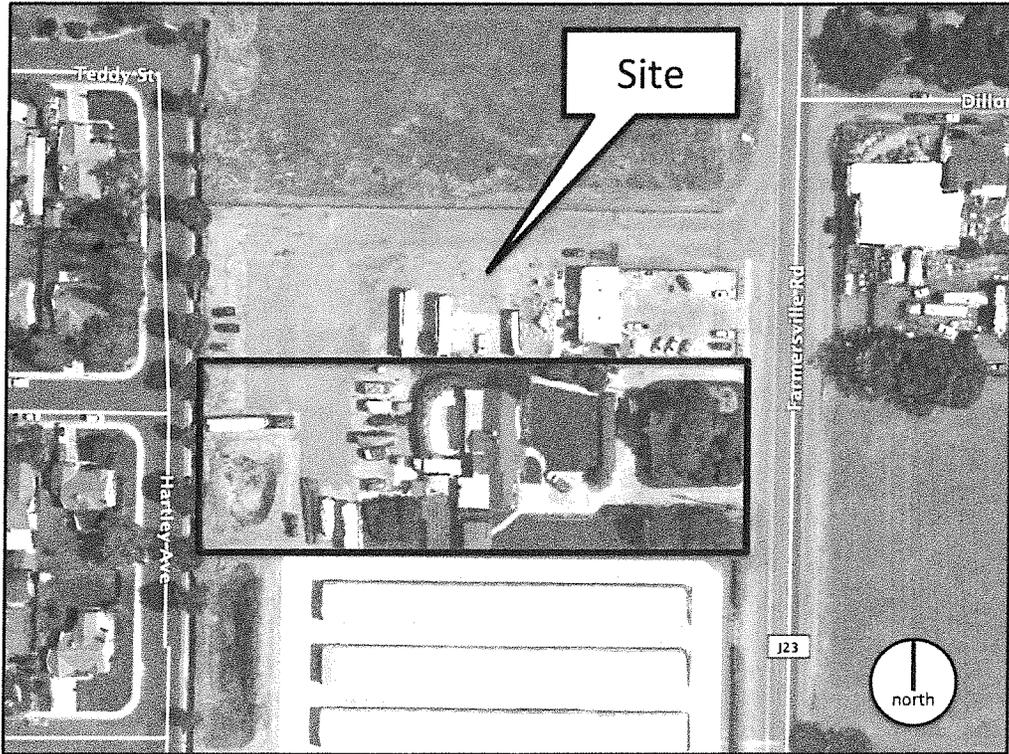
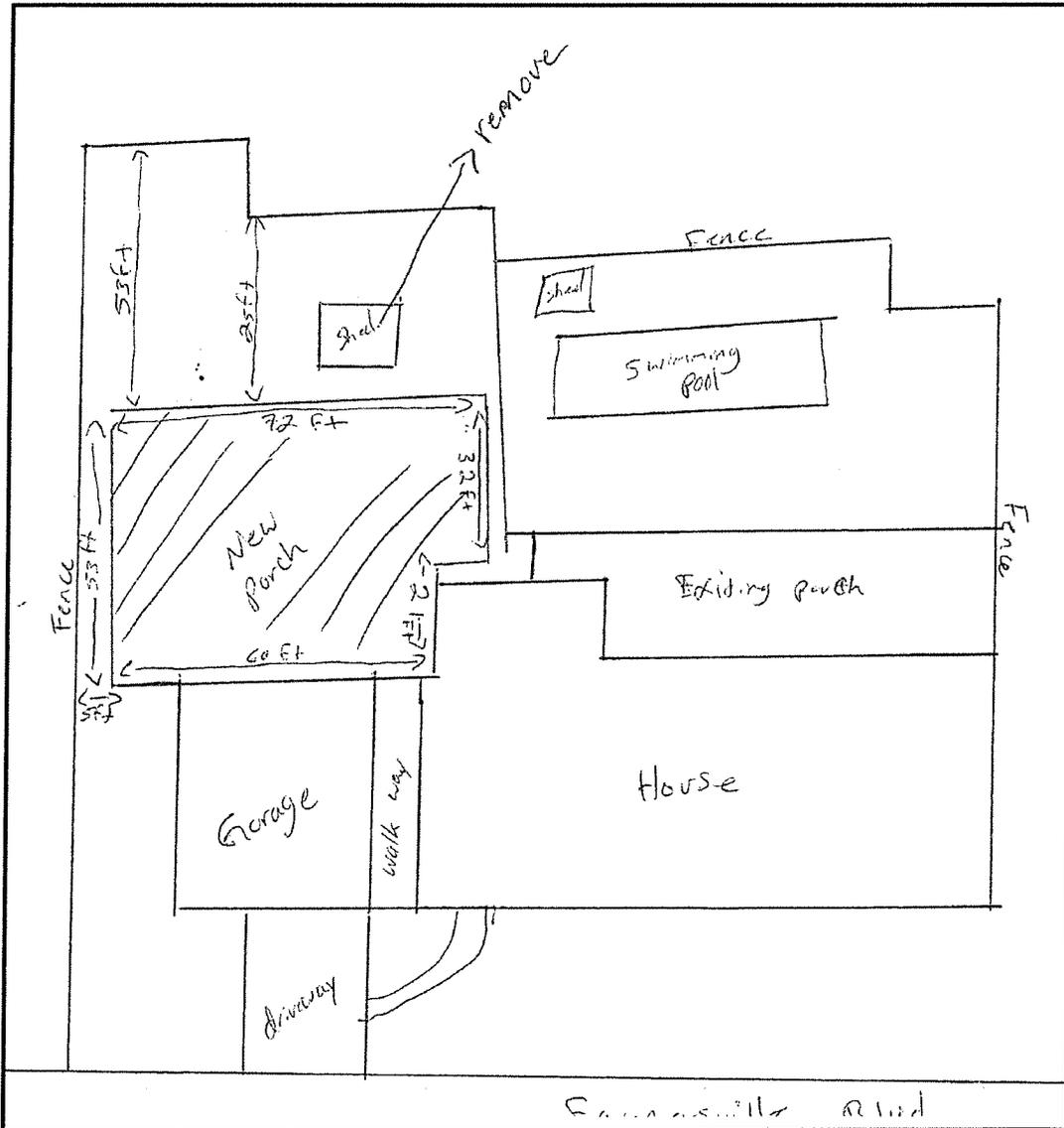


Exhibit 1: Site Plan Submitted by Applicant for Patio Cover (labeled "New Porch")



Finding 1. *"That any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located".*

Analysis: Approving this variance would constitute a grant of special privilege (for this property owner) that is different from the rules applied to other properties in the neighborhood and in the same zone – no other non-

Report to Farmersville Planning Commission
Variance 2020-02 (Soto)

conforming properties have been granted approval to be expanded.

Therefore, this finding cannot be made.

Finding 2. *“That because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the zoning regulation is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under the same zone classification”.*

Analysis: There are no unusual aspects of the property (such as size, shape, topography, location, etc.) that deprive the property of the same privileges of other properties in the vicinity and under the same zoning classification. The property is similar in size and shape to all other lots around it and in the neighborhood. The applicant is aware that the property is commercially-zoned. **Therefore, this finding cannot be made.**

Finding 3. *“That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity or the zone in which the subject property is located”.*

Analysis: Approving the Variance would not necessarily be detrimental to the public welfare or injurious to the property or improvements in the vicinity or the zone in which the subject property is located, however it would set a significant precedent that would demonstrate that the City is not enforcing its own codes. **This finding cannot be made.**

Finding 4. *“That the granting of such variance will be in conformity with the general purpose and intent of the Farmersville Zoning Ordinance and the Farmersville General Plan”.*

Variance: Granting the variance would not be in conformance with the Zoning Ordinance, because the Ordinance’s provisions prohibiting the expansion of non-conforming uses would be violated. **This finding cannot be made.**

Finding 5. *“A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zoning regulations governing the parcel of property”.*

Analysis: The expansion of the dwelling (via a covered patio) is a use that is not permitted in the C-S zone. **Therefore, this finding cannot be made.**

Conclusion

As noted in the analysis above, staff believes that the Planning Commission should not grant a Variance in this case. The patio cover was being installed without permits as an extension of a residential dwelling in a commercial zone. Granting a Variance in this case would establish a poor precedent and make it difficult for the City to enforce its codes in the future.

If the Planning Commission denies the Variance it is recommended the applicant be required to remove the patio cover (or that which exists of it) no more than 30 days from the date of the Commission's action. However, the Planning Commission's decision can also be appealed to the City Council, within ten days of the Commission's decision. This can be done by submitting a letter of appeal to the City Clerk and paying the appeal fee.

ATTACHMENTS

Resolution 2020-08

BACKGROUND INFORMATION

Applicant/: Jesus Soto, Jr.
Property 2073 N. Farmersville Blvd.
Owner Farmersville, CA 93223

Location: The site is located on the west side of Farmersville Boulevard north of Walnut Avenue, south of Terry Avenue. The Assessor Parcel Number is 128-151-009.

Request: The applicant is requesting approval of a Variance to allow the reconstruction and expansion of a patio cover on the rear of an existing residential dwelling within a commercial zone. This is normally prohibited by the Zoning Ordinance's provisions on non-conforming uses, which require that non-conforming uses cannot be expanded. As a residential unit in a commercial zone, the dwelling is considered a non-conforming use.

Zone: The subject property is zoned C-S (Service Commercial). Adjacent properties are zoned as follows:

East: C-G (General Commercial)

Report to Farmersville Planning Commission
Variance 2020-02 (Soto)

South: C-S (Service Commercial)
West: R-1 (Single Family Residential)
North: C-S (Service Commercial)

Standards: The C-S (Service Commercial) zone is intended for a variety of service uses including auto repair, body shops, cabinet shops, stores and offices, among other uses. General development standards are as follows:

Lot size:	10,000 square feet, minimum
Setbacks	
Front:	4 feet, minimum
Side:	No requirement
Rear:	No requirement
Space between buildings on same lot:	10 feet, minimum
Height:	25 feet/two stories, maximum
Parking:	By use.

General Plan: The subject site is designated “Service Commercial” by the Land Use Map of the 2025 Farmersville General Plan. The C-S zone is consistent with this designation.

Land Use: The site is currently developed with a single family home but with several commercial uses including auto sales, truck and vehicle storage and a mobile food truck.

Surrounding land uses are as follows:

North: Vacant
South: Mini storage facility
East: Vacant
West: Single Family residential neighborhood

Circulation: The site is accessed from Farmersville Boulevard. This street is designated as an “Arterial” roadway according to the Circulation Element of the 2025 Farmersville General Plan. Within the next year the roadway will be widened to have four lanes, along with a landscaped median divider and also curbs, gutters sidewalks and street lights, among other improvements.

Infrastructure: The site is served by City water, sewer and storm drain lines that exist under Farmersville Boulevard.

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

Report to Farmersville Planning Commission
Variance 2020-02 (Soto)

Environmental: The project has been reviewed and determined to be exempt from review for environmental impacts under Section 15305 (Minor alterations in land use limitations such as setback variances).

RESOLUTION 2020-08

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

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
FARMERSVILLE DENYING VARIANCE 2020-02 (SOTO)**

WHEREAS, a Variance application was filed by Jesus Soto Jr., 2073 N. Farmersville Boulevard, Farmersville, CA 93223 for a Variance to allow the reconstruction and significant expansion of a patio cover on the rear of a dwelling in a commercial zone located at 2073 N. Farmersville Boulevard. The Assessor Parcel Number is 128-151-009, and

WHEREAS, the subject site is zoned C-S (Service Commercial) and there are also three existing businesses at the site and adjacent parcel to the north, including auto sales, vehicle storage and a mobile food truck, and

WHEREAS, the residence is considered to be a legal, non-conforming use, and

WHEREAS, Section 17.68.080 B. of the Farmersville Municipal Code provides that legal, non-conforming uses may continue to exist but cannot be expanded.

WHEREAS, the patio cover was being installed without permits when the applicant was notified of the code violation, and represents an expansion of a residential use in a commercial zone, and

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

WHEREAS, the Planning Department has prepared a staff report and declared the proposed project categorically exempt from the California Environmental Quality Act (CEQA), and

WHEREAS, the Planning Commission held a public hearing on this Variance request and accepted testimony.

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

Farmersville Planning Commission
Resolution 2020-08
Variance 2020-02 (Casas)

1. The variance would constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located.
2. Strict application of the zoning regulation would not deprive the subject property of privileges enjoyed by other properties in the vicinity and under the same zone classification.
3. Granting of a variance would be materially detrimental to the public welfare and could be injurious to the property or improvements in the vicinity or the zone in which the subject property is located.
4. Granting of the variance does not conform with the general purpose and intent of the Farmersville Zoning Ordinance and the Farmersville General Plan.
5. Granting of the variance would authorize a use or activity which is not otherwise expressly authorized by the zoning regulations governing the parcel of property.
6. The Planning Commission's action may be appealed to the City Council by any aggrieved party, by filing an appeal and paying applicable fees within ten days of the Planning Commission's decision, consistent with the procedure established in Section 17.100.050. If no appeal is filed within the ten-day period the applicant must remove the patio cover (or otherwise cause it to conform to City codes) within 30 days (not later than October 16, 2020).
7. The variance is categorically exempt under the California Environmental Quality Act (CEQA (Section 15305 of the CEQA Guidelines)).

Farmersville Planning Commission
Resolution 2020-08
Variance 2020-02 (Casas)

BE IT FURTHER RESOLVED that the Planning Commission hereby DENIES Variance 2020-02. The foregoing resolution was adopted upon a motion of Commissioner _____, second by Commissioner _____, at a regular meeting of the Farmersville Planning Commission on the 16th of September, 2020, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson, Farmersville Planning Commission

Secretary, Farmersville Planning Commission

STAFF REPORT

FARMERSVILLE PLANNING COMMISSION

Date: September 16, 2020
To: Farmersville Planning Commission
From: Karl Schoettler, Planning Consultant
Subject: Comprehensive Update of the Farmersville Zoning Ordinance

Discussion

The City has received grant funding to begin a comprehensive update of the Farmersville Zoning Ordinance. An update of the Zoning Ordinance is one of the key action plans of the 2025 Farmersville General Plan. The grant funding includes stipulations that the Zoning Ordinance update be done in a fashion that facilitates the production of housing in Farmersville – in particular affordable housing.

More than any other law or policy, the Zoning Ordinance helps to shape the character of the City. In general, the Zoning Ordinance:

- Divides the City into zones, based primarily on uses, such as residential, commercial, industrial, public and agriculture
- Includes lists of uses that are permitted in each zone
- Establishes standards regulating building size, height and bulk
- Establishes standards relating to setbacks and yards
- Establishes standards for parking
- Establishes standards for landscaping, fencing and screening
- Establishes regulations for signs
- Establishes regulations for special uses such as cannabis businesses
- Establishes permit procedures

Most of the current Zoning Ordinance is 30+ years old and has a number of standards and practices that should be reviewed, updated and modernized. An update of the ordinance can achieve a number of things, including:

- Ensuring the ordinance is legally sound and consistent with State zoning laws;
- Promote walkable neighborhoods by incorporating smart-growth and form-based zoning standards and mechanisms;
- Simplify complicated planning permit processes;
- Revising, updating and clarifying permitted use lists in each zone district;

Farmersville Planning Commission 9/16/2020
Zoning Ordinance Update Workshop (Introduction)

- Updating Definitions sections;
- Adding new zones if 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.
- Updating the City's Accessory Dwelling Unit (ADU) ordinance.

The Ordinance will be updated over the next two years to spread out the work. A general work plan for updating the ordinance will be as follows:

1. Workshops

Staff will work with the Planning Commission on an ongoing basis to review the existing zoning ordinance, identify problem areas and prepare new chapters. As new chapters are prepared they will be reviewed with the Planning Commission (and any interested members of the public who choose to participate). Feedback from the Commission will be used to fine-tune each chapter.

2. Prepare Draft Chapters

Draft zoning ordinance chapters will be prepared and reviewed with staff and the Planning Commission. A complete list of chapters expected to be prepared is listed below under "Expected Content of the Zoning Ordinance".

3. Review with Legal Counsel

As chapters are completed they will be forwarded to the City Attorney for legal review. Revisions will be made as necessary depending on input from the attorney's office

4. Planning Commission Public Hearings

Once all the chapters are completed the consultant will conduct at least two public hearings with the Planning Commission for adoption of the complete Zoning Ordinance. The Commission will make a recommendation to the City Council on adoption of the updated Zoning Ordinance.

5. City Council Public Hearings

Up to two hearings will be scheduled for the City Council to consider and adopt the updated Zoning Ordinance

Farmersville Planning Commission 9/16/2020
Zoning Ordinance Update Workshop (Introduction)

C. Expected Content of the Zoning Ordinance

The updated Zoning Ordinance is expected to include the following chapters

1. General Provisions
2. Administration
3. Public Hearings
4. Appeals
5. Zoning Districts:
 - UR Urban Reserve
 - R-1 Single Family Residential
 - R-1-7.5 Single Family Residential
 - R-1 (MH) Mobile home subdivision
 - RM-3 Low Density Multi-Family Residential
 - RM-1.5 High Density Multi-Family Residential
 - C-G General Commercial
 - C-C Central Commercial
 - C-S Service Commercial
 - C-H Highway Commercial
 - I-L Light Industrial
 - I Heavy Industrial
 - O Open Space
 - PD Planned Development
 - P-QP Public/Quasi-Public
6. Special Uses Standards
8. Landscaping
9. Parking and Loading
10. Signs
11. Zoning Ordinance Amendments
12. Conditional Use Permits
13. Site Plan Review
14. Administrative Approval
15. Variances
16. Minor Deviations
18. Development Agreements
19. Density Bonuses
20. Non-Conforming Uses and Structures
21. Reasonable Accommodations
22. Enforcement
23. Definitions

D Key Items to Focus On

Increasing Production of Housing

Consistent with the purposes of the grant, a key purpose for updating the ordinance is to increase the supply of affordable housing in the City. This can be done in several ways, including amending zoning standards and procedures to make it easier to develop housing. In addition, consideration can be given to allowing housing through mixed use developments in commercial zones. The Zoning Code also needs to be updated to make it consistent with the State of California's new Accessory Dwelling Unit (ADU) laws, which allow two and even three dwellings per lot in single family residential neighborhoods.

Use of Graphics and Tables

The updated ordinance will include numerous graphics, tables and flow charts. This improves readability and makes complex zoning standards easier to understand for people who may not be familiar with zoning standards.

Definitions

The Definitions section of the Zoning Ordinance will be brought up to date, to ensure consistency with State zoning laws, addition of new terminology and elimination of outdated definitions.

Permitted Uses List

The list of permitted- and conditionally-permitted uses for each zone district will be brought up to date, to eliminate old unneeded uses and add new ones that are relevant to current times and practices.

Special Uses

A "Special Uses" chapter will be established. Each zone allows for certain "unusual" land uses that demand special standards and considerations, such as mobile homes, accessory structures, temporary uses, and the like. Special standards for these uses would be contained in this chapter.

What's Next?

At next month's meeting, staff plans to review the existing Zoning Ordinance with the Planning Commission, with an eye toward portions and/or standards that may be retained, revised or eliminated.