

CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**PLANNING COMMISSION AGENDA**  
**January 15, 2020**  
**CITY COUNCIL CHAMBERS**  
**6:30 p.m.**  
**50 Natoma Street**  
**Folsom, California 95630**

**CALL TO ORDER PLANNING COMMISSION:** Vice Chair Eileen Reynolds, Daniel West, Kevin Duewel, Barbara Leary, Jennifer Lane, Chair Justin Raithel

*Any documents produced by the City and distributed to the Planning Commission regarding any item on this agenda will be made available at the Community Development Counter at City Hall located at 50 Natoma Street, Folsom, California and at the table to the left as you enter the Council Chambers. The meeting is available to view via webcast on the City's website the day after the meeting.*

**PLEDGE OF ALLEGIANCE**

**CITIZEN COMMUNICATION:** The Planning Commission welcomes and encourages participation in City Planning Commission meetings, and will allow up to five minutes for expression on a non-agenda item. Matters under the jurisdiction of the Commission, and not on the posted agenda, may be addressed by the general public; however, California law prohibits the Commission from taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Commission.

**MINUTES**

The minutes of December 4, 2019 will be presented for approval.

**Election of Chair and Vice Chair**

**WORKSHOP**

**1. Accessory Dwelling Unit Presentation and Direction to Staff**

Staff will update the Commission on new changes in State law effective January 1, 2020 which affect the City's ability to regulate Accessory Dwelling Units (ADU). ADUs, also known as second units or "granny flats," are a more affordable housing option in existing neighborhoods that can serve the needs of seniors, young people, family members and others. State laws have changed to encourage these units and have limited communities' ability to regulate ADUs. Staff and its consultants will discuss the new laws and review what kind of standards still apply. **(Principal Planner, Desmond Parrington, AICP)**

**2. Zoning Code Update Discussion on Districts, Uses and Development Standards and Direction to Staff**

This presentation will address proposed changes to existing districts, allowed uses, and their development standards as well as proposals for new districts. In addition, staff and its consultant team at

Mintier Harnish will discuss proposals and questions related to new development and overlay districts as well as new standards associated with those development types. Staff is seeking input from the Commission and the public on these topics as it prepares the draft Zoning Code. **(Principal Planner, Desmond Parrington, AICP)**

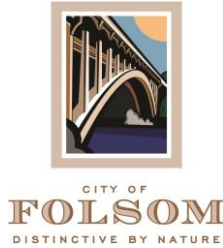
### **PLANNING COMMISSION / PLANNING MANAGER REPORT**

The next Planning Commission meeting is scheduled for **February 5, 2020**. Additional non-public hearing items may be added to the agenda; any such additions will be posted on the bulletin board in the foyer at City Hall at least 72 hours prior to the meeting. Persons having questions on any of these items can visit the Community Development Department during normal business hours (8:00 a.m. to 5:00 p.m.) at City Hall, 2<sup>nd</sup> Floor, 50 Natoma Street, Folsom, California, prior to the meeting. The phone number is (916) 461-6203 and FAX number is (916) 355-7274.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in the meeting, please contact the Community Development Department at (916) 461-6203, (916) 355-7274 (fax) or [kmullett@folsom.ca.us](mailto:kmullett@folsom.ca.us). Requests must be made as early as possible and at least two-full business days before the start of the meeting.

#### **NOTICE REGARDING CHALLENGES TO DECISIONS**

The appeal period for Planning Commission Action: Any appeal of a Planning Commission action must be filed, in writing with the City Clerk's Office no later than ten (10) days from the date of the action pursuant to Resolution No. 8081. Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and or California Public Resources Code Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, the public hearing



**PLANNING COMMISSION MINUTES  
December 4, 2019  
CITY COUNCIL CHAMBERS  
6:30 P.M.  
50 Natoma Street  
Folsom, CA 95630**

**CALL TO ORDER PLANNING COMMISSION:** Kevin Mallory, Vice Chair Eileen Reynolds, Daniel West, Kevin Duewel, Barbara Leary, Jennifer Lane, Chair Justin Raithel

**ABSENT:** None

**CITIZEN COMMUNICATION:** None

**MINUTES:**

The minutes of November 20, 2019 were approved as submitted.

**PRESENTATION**

1. **Subdivision Map Act Overview Presentation (Senior Civil Engineer, Dan Wolfe, PE)**

**NEW BUSINESS**

2. **PN 19-389, Folsom Plan Area Parcel 85A Tentative Parcel Map and Determination that the Project is Exempt from CEQA**

A Public Hearing to consider a request from TK Consulting for approval of a Tentative Parcel Map to subdivide an existing 54.30-acre property located at the northeast corner of East Bidwell Street and Alder Creek Parkway into four new individual parcels for future sale and development. The Specific Plan designation for the site is SP-GC-PD and the General Plan land use designation is GC. The project is categorically exempt under Section 15315 (Minor Land Divisions) of the California Environmental Quality Act (CEQA) Guidelines. **(Project Planner: Principal Planner, Steve Banks / Applicant: TK Consulting)**

COMMISSIONER DUEWEL MOVED TO APPROVE THE FOLSOM PLAN AREA PARCEL 85A TENTATIVE PARCEL MAP APPLICATION (PN 19-389) TO SUBDIVIDE AN EXISTING 54.30-ACRE PROPERTY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF EAST BIDWELL STREET AND ALDER CREEK PARKWAY INTO FOUR NEW INDIVIDUAL PARCELS FOR FUTURE SALE AND DEVELOPMENT, SUBJECT TO THE FOLLOWING FINDINGS: GENERAL FINDINGS A & B, CEQA FINDINGS C-E, TENTATIVE PARCEL MAP FINDING F-I, AND CONDITIONS OF APPROVAL NOS. 1-10 WITH MODIFICATIONS TO CONDITION NO. 2 TO STATE:

“The project approval granted under this staff report shall remain in effect for two years from final date of approval (December 4, 2021). Failure to ~~obtain the relevant building (or other) permits~~ **record a Final Parcel Map** within this time period, without the subsequent extension of this approval, shall result in the termination of this approval.”

COMMISSIONER REYNOLDS SECONDED THE MOTION, WHICH CARRIED THE FOLLOWING VOTE:

AYES:	MALLORY, REYNOLDS, WEST, DUEWEL, LEARY, LANE, RAITHEL
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

**PLANNING MANAGER REPORT**

None

RESPECTFULLY SUBMITTED,

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Kelly Mullett, ADMINISTRATIVE ASSISTANT

**APPROVED:**

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Justin Raithel, CHAIR



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**AGENDA ITEM NO. 1**  
**Type: Workshop**  
**Date: January 15, 2020**

## **Planning Commission Staff Report**

50 Natoma Street, Council Chambers  
Folsom, CA 95630

**Project:** Accessory Dwelling Unit Presentation and Direction to Staff  
**File #:** PN 19-051  
**Request:** Review and Comment  
**Location:** Citywide  
**Parcel(s):** N/A  
**Staff Contact:** Desmond Parrington, AICP, Principal Planner, 916-461-6233  
dparrington@folsom.ca.us

**Recommendation:** Please review and comment on the staff report and presentation involving new State laws affecting Accessory Dwelling Units (ADUs). Specifically, please comment on any issues related to ADU development that should be addressed as part of the new ADU Ordinance that staff and its consultant team are preparing.

**Project Summary:** During 2019, the State enacted several new laws affecting Accessory Dwelling Units or ADUs. ADUs are more commonly referred to as second units, second dwelling units, or “granny flats.” These new laws go into effect on January 1, 2020. While this type of dwelling unit provides a lower-cost housing alternative that may benefit new and existing residents, particularly young people and seniors, the State has significantly curtailed jurisdictions’ abilities to regulate these units.

Since the State has changed many of the requirements, it is necessary for the City to update its own ADU standards. While the new State regulations go into effect January 1, 2020 regardless of the existing standards in our current Zoning Code, staff is recommending that the City amend its local ADU standards as soon as possible for consistency and transparency for our residents.

Staff and its consultant team at MIG will explain the new State laws and how the proposed draft ordinance implements those laws in our presentation. Once staff has received input from the Council, Commissions and the public, staff will return with a final ADU ordinance for consideration and adoption in late February 2020.



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**AGENDA ITEM NO. 1**  
**Type: Workshop**  
Date: January 15, 2020

Submitted,

A handwritten signature in blue ink, appearing to read 'Pam Johns', written over a horizontal line.

**PAM JOHNS**  
Community Development Director

## ATTACHMENT 1 DESCRIPTION/ANALYSIS

### ISSUES AND ANALYSIS

Since 2017, State legislation has provided jurisdictions more flexibility in order to promote the development of ADUs. This included expanding where ADUs could be built, allowing reduced parking standards, allowing reduced fees, and enabling concurrent development of an ADU with a new single-family home.

However, in the 2018-2019 legislative session, the State enacted many bills that removed much of the local discretion and instead created new mandates to encourage ADU development. Seven of these bills significantly changed the current laws affecting ADUs. These new laws, which staff and its consultant team at MIG will discuss in more detail in its presentation, streamlined reviews of ADUs and created new development standards for them. The new laws affecting ADUs include:

- **AB 68 (Assembly Member Phil Ting) / AB 881 (Assembly Member Richard Bloom) – Processing Timelines, Ordinance Prohibitions and Triplexes.**

These two laws do the following:

- Prohibit minimum lot size requirement for ADUs;
- Require ministerial (staff-level only) approval or denial of an ADU project within 60 days;
- Allow ADUs on lots with multi-family dwellings;
- Limit minimum ADU size to 220 square feet (sf);
- Cannot limit maximum ADU size to less than 850 square feet (sf) for one-bedroom and to 1,000 sf for two or more bedrooms;
- Allow attached ADUs to be 50 percent of existing home even if greater than 1,200 sq. ft.;
- Prohibit side or rear yard setbacks greater than 4 feet;
- Prohibit any local standard that would not allow for at least an 800-square foot, 16-foot tall ADU with 4-foot side and rear setbacks;
- Prohibit jurisdictions from requiring replacement off-street parking when a garage, carport or covered parking structure is demolished or converted to an ADU;
- Allow an expansion of the existing structure of up to 150 square feet for ingress and egress for converted ADUs;
- Prohibit required parking when ADU is located within ½-mile of transit including bus stops;
- Allow both an ADU as well as a "junior" ADU on the same single-family parcel where certain access, setback and other criteria are met;
- Allow up to two (2) detached ADUs on multi-family sites;
- Allow up to one ADU and one JADU on multi-family sites;

- Allow multiple converted ADUs on multi-family sites;
- Cannot require correction of physical non-conforming zoning conditions as a requirement to approve an ADU or junior ADU;
- Prohibit short-term rental of ADUs (i.e., less than 30 days);
- Render local ordinances null and void if not consistent with State law; and
- Make jurisdictions accountable to State Housing and Community Development Department (HCD) and Attorney General if violations.
- **SB 13 (Senator Bob Wieckowski) – Owner-Occupancy Prohibitions and Fee Limitations.** This law states that jurisdictions:
  - Cannot require either the primary dwelling or ADU to be owner-occupied until 2025;
  - Are now more limited in whether and how utility providers can charge connection fees and capacity charges for ADUs; and
  - Cannot impose impact fees on ADUs under 750 square feet.
- **AB 587 (Assembly Member Laura Friedman) – Separate Conveyances.**
  - Enables jurisdictions to allow for the sale of the ADU separately from the primary residence even though both buildings are on the same parcel if certain conditions are met.
- **AB 670 (Assembly Member Laura Friedman) – HOA Limitations.**
  - Prevents homeowners' associations (HOAs) from barring ADUs.
- **AB 671 (Assembly Member Laura Friedman) / AB 139 (Assembly Member Sharon Quirk-Silva) – Local Government Promotion of ADUs and HCD Financial Incentives.** These laws, among other housing requirements, mandate that:
  - Local governments include in the Housing Element plans to incentivize and promote the creation of affordable ADUs; and
  - State Housing and Community Development (HCD) Department must identify financial incentives for affordable ADUs.

Given the number of new ADU laws in the past three years particularly in 2019, staff expects there to be additional clean-up legislation on ADUs in the coming legislative sessions.

## **POLICY/RULE**

The changes in State law are, and the City's draft ADU Ordinance will be, consistent with the City's 2035 General Plan including the Land Use and Housing Elements. The City has sought to encourage ADUs in its single-family zones. Furthermore, the new State requirements mandate that the City process development applications in an expedited timeframe and that the City does so without discretionary review. As a result, the City will need to enact an ordinance that not only addresses State requirements, but which also establishes the standards needed for staff to review and approve or deny ADU applications. Finally, the new State requirements reduce or eliminate impact fees



for small ADUs, which is consistent with the City's Housing Element policy of ensuring impact fees do not constrain residential development. The City policies that support the development of ADUs and these new State law requirements are listed below.

General Plan Land Use (LU) and 2013-2021 Housing Element Policies:

- *LU 1.1.11 Vacant and Underutilized Sites* - Monitor residential and non-residential development and make adjustments as necessary to the amount of land designated for various uses and the rate of project approvals to promote a reasonable citywide balance between new employment-generating development and housing development.
- *LU 6.1.2 Historic Folsom Residential Areas* - Preserve and protect the residential character of Historic Folsom's residential areas.
- *Policy H-1.4* - The City shall support the development of second units on single family parcels.
- *Policy H-2.1* - The City shall continually strive to shorten permit processing and review times to the greatest extent possible by allowing concurrent processing.
- *Policy H-2.2* - The City shall strive to ensure that its current development impact fee structure does not unnecessarily constrain production of residential development.
- *Policy H-2.4* - The City shall endeavor through its development and design standards and decision making to provide consistent and predictable policy direction for residential project applicants.
- *Policy H-5.1* - The City shall strive to ensure adequate and affordable housing for seniors.

**ENVIRONMENTAL REVIEW**

This presentation on ADUs is an administrative action and not considered a project under the California Environment Quality Act (CEQA) in accordance with CEQA Guidelines Section 15061(b)(3). As a result, the presentation is exempt from environmental review.

**RECOMMENDATION/PLANNING COMMISSION ACTION**

Review and comment. This is an informational presentation designed to explain the new laws and receive input as City staff and its consultants develop a new ADU ordinance. Please provide input as it relates to standards for ADU development.



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**AGENDA ITEM NO. 2**  
**Type: Workshop**  
**Date: January 15, 2020**

## **Planning Commission Staff Report**

50 Natoma Street, Council Chambers  
Folsom, CA 95630

**Project:** Zoning Code Update Discussion on Districts, Uses and Development Standards and Direction to Staff  
**File #:** PN 19-051  
**Request:** Review and Comment  
**Location:** Citywide  
**Parcel(s):** N/A  
**Staff Contact:** Desmond Parrington, AICP, Principal Planner, 916-461-6233  
dparrington@folsom.ca.us

**Recommendation:** Please review and comment on the presentation involving zoning districts, allowed uses, design and development standards for the City's new Zoning Code. Staff and its consultant team, led by Mintier Harnish, will be discussing these and raising key issues and questions for consideration as part of its presentation.

**Project Summary:** Development within the City is regulated by the City's Zoning Code (Title 17 of the Folsom Municipal Code) except for areas that are subject to approved Specific Plans. The Zoning Code divides Folsom into different land use districts or zones depending upon the primary land use allowed such as residential, commercial, industrial or open space districts. Examples include the General Commercial District (C-3), Light Industrial District (M-1), and Single Family Dwelling Medium Lot District (R-1-ML). Each district has its own development standards that address that type of development. Development standards include such criteria as building height, lot coverage, and building setbacks, etc. In some cases, overlay districts, which are also referred to as combining districts, are used for special areas when additional uses or additional development standards are needed. An example includes the Agricultural Combining District (A), which is used as an overlay on top of the existing single-family residential zoning in the northwest area of Folsom to allow for agricultural uses on large residential lots. As required by State law, the zoning district designation for a parcel must be consistent with the General Plan land use designation for that same parcel. A parcel cannot be designated as a Single Family Dwelling Small Lot District (R-1-M) if it has an Industrial/Office Park General Plan land use designation. Allowed uses are the types of businesses, development or activities that are either permitted, not permitted or conditionally permitted in a particular zoning district.

While much of the City's current zoning districts and development standards remain unchanged, staff will focus on those topics where there is a need for change or there is a



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need to introduce new districts, new development standards, or new overlay zones. These proposed changes come from staff's experience reviewing past development projects as well as current development trends. In addition, the City's 2035 General Plan directs changes to the Zoning Code to address particular topics such as mixed-use and transit-oriented development (TOD). This workshop will address proposed new districts and their development standards as well as proposals for some minor changes to existing districts. Staff will also highlight current allowed uses and recommended approaches to address allowed uses in a simplified manner. In addition, staff and its consultant team at Mintier Harnish will discuss proposals and questions related to new development and overlay districts as well as new standards associated with those development types.

This discussion will not involve the Historic District as staff will host a separate workshop or discussion with the Historic District Commission in the spring when staff and its consultants will present new zoning district concepts for that area for consideration. In addition, this report and the presentation to Planning Commission will not address other important issues such as parking, signage, and administration. Those issues will be addressed in future workshops later this spring.

**Table of Contents:**

1 - Description/Analysis

Submitted,



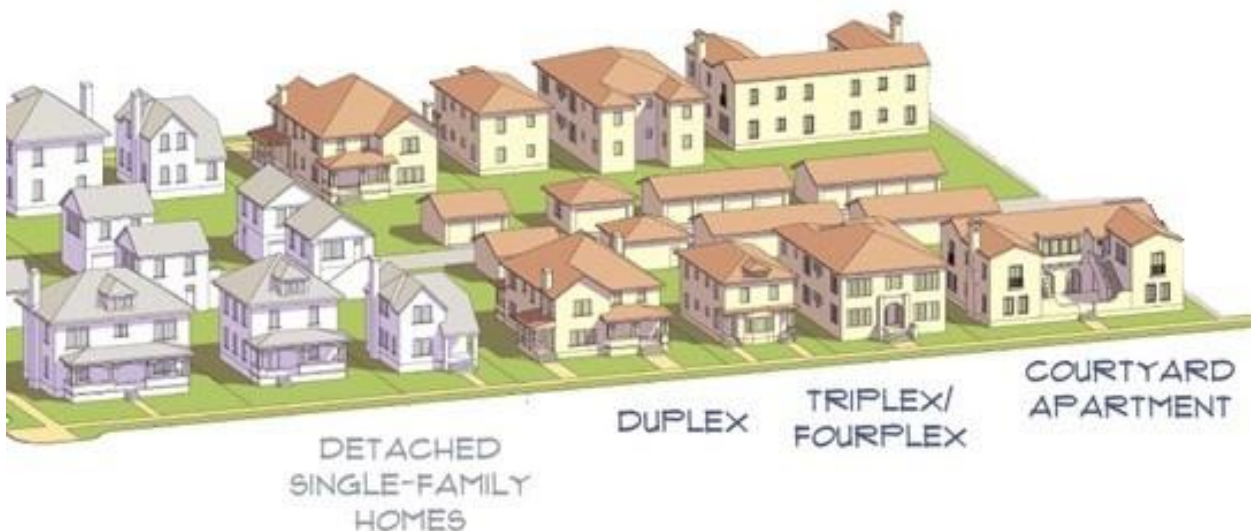
\_\_\_\_\_  
PAM JOHNS  
Community Development Director

## ATTACHMENT 1 DESCRIPTION/ANALYSIS

### ISSUES AND ANALYSIS

As noted earlier in this report, most of the districts and development standards in the current Zoning Code will not change. However, there are several areas where changes may be needed. The list of major topics below explains those areas and seeks Commission feedback. This staff report and presentation are designed to be a high-level discussion as staff needs Commission input in order to work through the details, which will be presented later this year as part of the draft Zoning Code review. At that point there will be opportunities for discussion on the specific details. The topic areas below describe the issue, identify changes or proposed standards and include questions for the Commission to consider.

- **Housing Types in Single Family Zones:** An increasing trend among cities is to expand the variety of housing types that are allowed in single family zones so long as the housing types are similar in scale and style to a single-family home. Examples include so-called “missing middle housing” such as duplex or half-plex homes, triplex homes, fourplex buildings, and even small courtyard apartment buildings. The development standards for the single-family zones would remain the same. Any project would need to meet the density of the zone. In addition, the height requirement would still be 35 feet and the front yard setback would continue to be 20 feet with side yard setbacks remaining 5 and 11 feet. Some visual examples are shown below:



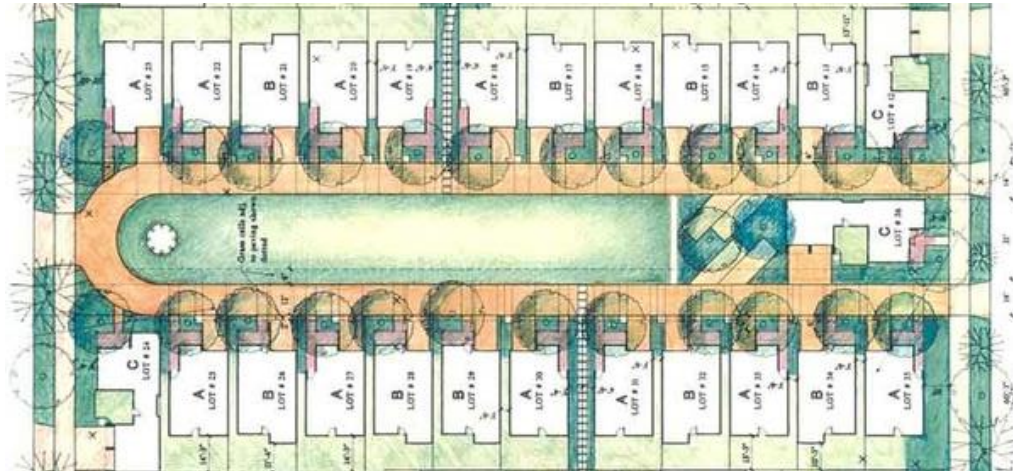
*Example image courtesy of Opticos Design Inc.*

Generally, this approach is recommended for areas where the housing is closer to services and the area is pedestrian-friendly. It can also serve as a transition between adjacent parcels that have commercial or multifamily uses (i.e., apartments). In some communities, this type of housing is only used on corner lots.

Please note that with the State’s changes to laws governing Accessory Dwelling Units (ADUs), single family residential zones now can have as many as three units allowed by right since a single-family home can have one ADU and one Junior ADU (JADU) on the same parcel.

- **Developments with Small-Scale Homeownership Opportunities:** Over the past ten years in Folsom many of the new development proposals have used the Planned Development (PD) Permit and PD Overlay in conjunction with either the Residential Multifamily Dwelling District R-M District or the R-1-M District to develop small-lot single family neighborhoods. Some of these have been well-planned and well-done, while others have not. Currently, the City has no uniform standards for this type of development. Setbacks have varied widely between projects and open space is often limited. For example, side yard setbacks have been 3 feet in some projects and 7 feet in others. Front yard setbacks have ranged from 8 feet to 20 feet. Similarly, lot sizes have ranged from 1,400 sq. ft. to over 6,000 sq. ft.

Staff is proposing the creation of a new zone, the Residential Compact Development (R-C) Zone, that would allow for development of smaller lots and more compact development but would encourage open space. This zone would have specific design standards and requirements for common open space to ensure that the development achieves the “distinctive by nature” feel of many of the City’s existing neighborhoods. While this zone would allow for the same height (3 stories) as other single-family residential zones, it would have smaller setbacks (3 to 5 feet for side yards, 5 feet for front, and 5-10 feet for rear). It would also allow greater lot coverage up to 80 percent and smaller lot sizes (1,800 sq. ft.). An example of a project that meets this type of criteria is shown below. Other examples will be provided as part of the presentation. This zone would possibly replace the Residential Multifamily Dwelling (R-M) District, which is an ill-defined district that allows almost any type of residential development.



Example image courtesy of Mogavero Architects.

- **Development Standards:**

- Garages and Non-conformity: Several older areas of the City outside the Historic District developed with one-car garages. However, when those property owners seek to do an addition or other major improvements, they are required to address the City’s requirement for two-enclosed parking spaces (i.e., two-car garage) before they can proceed with their addition. In most cases the home and lot cannot accommodate the second covered parking space without either a complete redesign of the existing home or expansion of the home and/or garage into the setbacks. Staff recommends that the Zoning Code be updated to allow the Community Development Director to waive the two-car garage requirement if the original home was built without a two-car garage and there is no space on the lot to easily accommodate it.

In addition, some jurisdictions have adopted new parking standards for smaller home or compact homeownership projects that allow for only one enclosed parking space especially if they are close to transit or if the development has a car share option such as Zip Car. The key question is whether all single-family lots should require two enclosed spaces or whether the City should allow for flexibility based on certain standards (i.e., size of home, proximity to transit or services, care share present, etc.).

- Lot Coverage: There is a significant different in lot coverage between the north area of the City and the new south area. For example, the Folsom Plan Area generally allow lot coverage of 50 percent with the ability to increase that to 55 percent under certain conditions. However, north of Highway 50, the standard is 35 percent and lot coverage may only be increased if an Accessory Dwelling Unit is provided. For smaller parcels



zoned for residential development, staff has on some occasions received requests for changes to lot coverage. Similarly, this has also been an issue in some specific plan areas like Lakeview Oaks where homeowners have requested increases to lot coverage. This has prompted several questions including: 1) Should the City allow slightly greater (5-10% increase?) lot coverage for single-story homes compared to homes that are two or more stories; 2) Should the City allow for increases in lot coverage for small multifamily zoned parcels if the lot coverage requirement prevents the property owner achieving the minimum density allowed?; and 3) Should the City allow for greater lot coverage on individual parcels or for apartment/condominium projects if more open space can be provided on the project site?

- **New Overlay Zones:** Consistent with the 2035 General Plan, staff is recommending the use of overlay zones for the East Bidwell Corridor and around the City’s light rail stations to encourage mixed-use and residential development which should support pedestrian activity as well as transit use. The information below describes the proposed overlay districts and then poses some questions for consideration.

- East Bidwell Corridor: The 2035 General Plan established a mixed-use overlay on East Bidwell Street from Coloma to Highway 50. To implement this overlay in the new Zoning Code, staff recommends establishment of an initial mixed-use overlay between Coloma Street and Blue Ravine Road, which is the older portion of the corridor. This area has already seen successful residential mixed-use development with the Bidwell Pointe project and with its narrower street width and smaller scale retail and shopping uses, it is more conducive to increased pedestrian activity. The overlay would not remove any of the existing rights that commercial-zone properties have but would allow vertical and horizontal mixed use as well as residential development if a property owner wished to do that. More residential development should support the existing commercial uses already there and reduce the need more automobile trips.

Under the proposed overlay on the East Bidwell Corridor, the additional development standards would be like those of the current Mixed-Use (M-U) District. It would allow building heights of up to 50 feet, zero lot line development, no setbacks unless adjacent to residential development and greater lot coverage. The allowed density would be 30 dwelling units per acre.

- Transit Oriented Development Overlay: Land Use Goal 4.1 in the City’s 2035 General Plan states that City should “establish transit-supported mixed-use districts near rapid transit stations that support the needs of commuters, residents, employees, businessowners, and patrons.” Staff is

recommending an overlay around the City’s three light rail stations (Iron Point, Glenn, and the Bob Holderness Station in the Historic District) that would encourage a variety of uses and denser residential and residential mixed-use development. This would help encourage greater transit ridership and reduce the need for more automobiles and parking in those areas.

For the proposed TOD Overlay, the development standards would be similar to those of the current Mixed-Use (M-U) District. It would allow building heights of up to 50 feet, zero lot line development, no setbacks unless adjacent to residential development and greater lot coverage. The allowed density would be 30 dwelling units per acre. The overlay would also restrict auto-oriented uses such as drive-through restaurants, car washes, car repair shops, etc. though it would not prevent ones that are already there from continuing to operate.

- **Multifamily Objective Design Standards:** State law now requires staff level review of multifamily development projects using objective design standards (refer to Senate Bill 35 of 2017 and Senate Bill 330 - Housing Crisis Act of 2019). Staff will be developing new design standards for use in evaluating multifamily and residential mixed-use projects. Such standards may include building height, massing, relationship to the street, building materials, contrasting colors, open space, landscaping, amenities, etc. Staff is seeking Commission input on any design issues with multifamily projects that should be addressed. Key issues to focus on include building form and how detailed City design standards should be. Furthermore, should the City favor a particular type of design (e.g., traditional vs. modern) to encourage a certain look or style for Folsom or should the City create standards that allow for flexibility? The City has had successful modern apartment projects as well as ones that have a more traditional design.
- **Allowed Uses:** As shown in Attachment 1, the City has an extensive list of land uses, which are either permitted, not permitted or conditionally permit (i.e., require a conditional use permit). Several of the uses are outdated or confusing. In addition, some uses that currently require Commission approval of a conditional use permit (CUP) may be handled by staff administratively in the future with a set of standard conditions while other may require more detailed review and unique conditions, which would still necessitate Commission review. Key uses being evaluated by staff include alcohol uses, entertainment uses, outdoor seating, uses in business parks and office/industrial areas among others.

First, staff recommends consolidating the extensive list of land uses into fewer general categories that are easier to interpret and can adapt to changes in retail and business trends. Second, staff will return in late spring with a discussion about administration of the Zoning Code including what uses should require Commission level permits and which should be handled at the staff level.



Based on the issues listed above, several important questions should be considered. These questions are listed below. Visual examples will be provided as part of the staff and consultant presentation.

1. How important is building form, height, and scale/mass compared to building density – in other words is the look and scale/mass of the building more or less important compared to how many units it has?
  - While many communities are concerned about density, density is sometimes less of a concern than the overall project design. Poorly designed buildings that have high blank walls, little articulation, cheap materials, and are designed in such a way that they do not account for the surrounding uses even if they have a lower density can be more of a concern than higher density projects where the buildings are well-designed and respect the context of the area in which they are built. Density can be disguised such that project that is 30 dwelling units per acre looks like a much lower density project.
2. Should the City have detailed objective design standards for multifamily and residential mixed-use development or simpler ones that allow for design flexibility given that there will no longer be discretionary design review for these projects due to new State laws?
  - For example, some communities like Benicia have very detailed design standards for multifamily development. Other cities have a limited list of key design features and allow the developer and their architect to direct the design. Yet other communities, like Fremont, have a mix of some design standards as well as more detailed design guidelines.
3. Should the new Zoning Code allow for some minor flexibility in development standards such as lot coverage, setbacks, etc. to address unique circumstances or to provide flexibility for new and existing development?
  - For example, rather than requiring applicants to seek a variance for minor changes to development standards, which requires detailed findings, should the Community Development Director be given the discretion to grant minor deviations so long as the proposed change does not change the use or density or change the character of the neighborhood?
4. As the State promotes, and high land prices lead to, more dense development should common or public open space be encouraged over private open space in new development?
  - Increasingly, new home projects typically have proposed small backyards or simply an outdoor private patio at the back. With smaller front yards

and back yards, there can be little area for landscaping, large shade trees, and few areas for the residents and visitors to gather, which can help create a neighborhood and foster a sense of community. Are there alternative approaches that the Commission would like staff to consider?

5. Given that the State’s new Housing Element regulations will require more land zoned for multifamily development, should the City encourage that type of development around its light rail stations and commercial corridors?
  - For example, what are the best areas to encourage multifamily development in Folsom? Is it around our light rail stations and commercial corridors; should this type of development be near existing shopping centers or near major services such as the hospital or Folsom Lake College or in the Town Center area in the Folsom Plan Area?

## **POLICY/RULE**

The City’s 2035 General Plan established several policies which will guide the preparation of the Zoning Code update particularly as it relates to new districts, development standards, design and allowed uses. These policies include:

- LU 1.1.1 Zoning Ordinance: Ensure that the Folsom Zoning Ordinance is consistent with the policies and programs of the General Plan.
- LU 3.1.1 Mixed-Use Nodes: Encourage mixed-use development in nodes located at major intersections that include housing, open space, and offices. This development pattern should reflect best practices in mixed-use development, in contrast to strip retail developments along corridors.
- LU 3.1.2 Districts and Corridors: Encourage development of diverse mixed-use districts and corridors that address different community needs and market sectors, provide a variety of housing opportunities, and create distinct and unique areas of the city.
- LU 3.1.3 Mixed-Use Design: Encourage mixed-use developments to limit the number of access driveways, minimize building setbacks, and require active edges on ground floor spaces adjacent to sidewalks.
- LU 3.1.4 Compatibility with Adjoining Uses: Encourage development and redevelopment of higher density mixed-use development within districts and along corridors to be compatible with adjacent land uses particularly residential uses.
- LU 3.1.5 East Bidwell Street: Encourage new development along East Bidwell Street by creating a stronger mixed-use development pattern, both horizontal and

vertical, with an emphasis on medium- and higher-density housing, while also addressing local and citywide demand for retail and services.

- LU 3.1.6 Central Commercial District: Encourage development of mixed-use projects that create a walkable, vibrant district along East Bidwell Street between Coloma Street and Blue Ravine Road.
- LU 4.1.2 Mix of Uses Near Station: Encourage new development around transit stations that mix retail with a variety of housing and employment options to transform Folsom stations into destinations that take advantage of public investment in transit.
- LU 4.1.4 Restrict Auto-Oriented Uses Around Transit Stations: Restrict new auto-oriented uses (e.g., automobile repair, gas station, car wash, drive through restaurants, mini storage facilities) within one-quarter mile of light rail stations.
- LU 6.1.3 Efficiency Through Density: Support an overall increase in average residential densities in identified urban centers and mixed-use districts. Encourage new housing types to shift from lower-density, large-lot developments to higher-density, small-lot and multifamily developments, as a means to increase energy efficiency, conserve water, reduce waste, as well as increase access to services and amenities (e.g., open space) through an emphasis of mixed uses in these higher-density developments.
- LU 6.1.4 Open Space in Residential Developments: Require open space in each residential development except the following: developments located within a Specific Plan Area that has already dedicated open space, on multifamily parcels of less than 10 acres and, or parcels of less than 20 acres for single family uses surrounded by existing development. Open space includes parklands, common areas, landscaped areas, paths and trails, and plazas. Open space does not include areas devoted to vehicle parking, streets, and landscaped streetscapes. To achieve the open space guidelines, a developer may be allowed to group the homes at smaller lot sizes around shared open space features, as long as the average gross density does not increase.
- LU 7.1.2 Enhance Vitality of Commercial Areas: Encourage development of underutilized and vacant parcels in commercial zones to improve the aesthetic appearance and enhance the vitality of commercial areas.
- LU 8.1.5 Transit: Encourage new employment uses to locate where they can be easily served by public transit. Transit centers should be incorporated into the project, when appropriate.
- LU 9.1.7 District Identity: Encourage efforts to establish and promote district identities (e.g., urban centers, East Bidwell Street) through the use of signage, wayfinding signage, streetscape and building design standards, advertising, and site-specific historic themes.

**ENVIRONMENTAL REVIEW**

This is a workshop and presentation and is not a project as defined by California Environmental Quality Act (CEQA). It is therefore not subject to environmental review.

**RECOMMENDATION/PLANNING COMMISSION ACTION**

Review and comment. Please provide input as staff and its consultant team work on the zoning districts, allowed uses, design and development standards for the new Zoning Code.

## Attachment 1 Current City Allowed Uses List

The following is the current list of land uses, services and facilities permitted, not permitted or conditionally permitted in the City’s commercial and office zones as set out in Section 17.22.030 of the existing Zoning Code. As shown below this is an extensive list that has very detailed categories (i.e., tackle shop) as well as outdated uses (i.e., photostating, etc.). Staff proposes to consolidate this list into fewer, broader categories and then to later recommend what type of uses should require a CUP and Commission review and which should be handled at the staff level either allowed by-right or allowed with an administrative (ministerial/staff level) permit.

Use, Service, or Facility	Zone			
	C-1	C-2	C-3	BP
Addressing and mailing services	P	P	P	P
Advertising business	P	P	P	P
Alarm/warning system—sales and/or service		P	P	
Ambulance service	P	P	P	
Armored car service	N	P	P	N
Amusement arcade		P	P	N
Antique store	P	P	P	N
Appliance repair shop with outdoor storage		P	P	N
Appliance repair shop, with no outdoor storage	P	P	P	N
Appliance store (no outdoor storage)	N	P	P	N
Art gallery	P	P	P	P
Art studio	P	P	P	P
Assembly—light manufacturing	N	N		N
Athletic club, indoor	P	P	P	
Athletic equipment and sporting goods store (with no outdoor storage)	P	P	P	N
Auto sales, new and used	N			N
Auto rental or lease agency including limousine service	N	P	P	N
Auto wholesaler, office only (no on-site storage of vehicles)		P	P	P
AUTO MINOR SERVICE—REPAIR—REPLACEMENT	N	P	P	N
a) Automatic transmission	N	P	P	N
b) Auto tire, sales/service	N	P	P	N
c) Auto seat covers, reupholstery shop	N	P	P	N

Use, Service, or Facility	Zone			
	C-1	C-2	C-3	BP
d) Auto battery and ignition	N	P	P	N
e) Auto radio, stereo, CB	N	P	P	N
f) Auto radiator, replacement/service	N	P	P	N
g) Auto muffler replacement/service	N	P	P	N
h) Auto electric (starter-gen)	N	P	P	N
i) Auto brake, replacement/service	N	P	P	N
j) Auto minor repair, service, adjustments	N	P	P	N
k) Auto trailer hitch installation	N	P	P	N
l) Auto diagnosis and tune-up	N	P	P	N
m) Auto detailing (servicing and cleaning for resale)	N	P	P	N
n) Auto glass installation and sales	N	P	P	N
o) Auto smog inspection (no repair)	N	P	P	N
<b>AUTO, MAJOR</b>	N	1	1	N
a) Auto—major repair	N	1	1	N
b) Auto transmission rebuild	N	1	1	N
c) Auto radiators rebuild	N	1	1	N
d) Auto starter-gen rebuilding	N	1	1	N
e) Auto body repair	N	1	1	N
f) Auto paint shop	N	1	1	N
g) Auto machine shop	N	1	1	N
Auto service station	14	14	11	N
Auto storage—antique (indoor only)	N	P	P	N
Auto parts and accessory store	1	P	P	N
Auto wash, self-service or automatic	1	P	P	N
Automatic teller machines (ATMs)	P	P	P	P
Bakery, pastry shop	P	P	P	P
Bakery, wholesale only, no manufacturing	N	P	P	N
Bank, savings and loan, finance, loan, credit office	5	P	P	P
Bar, tavern	1	6	6	1
Bar, tavern in conjunction with, and accessory to, a restaurant and represents less than 10% of the floor area of the restaurant	P	P	P	N
Bar, tavern in conjunction with, and accessory to, a restaurant and represents more than 10% of the floor area of the restaurant	14	14	P	N

Use, Service, or Facility	Zone			
	C-1	C-2	C-3	BP
Barber shop	P	P	P	7
Bath house: sauna, Turkish, steam, spa, and tanning	P	P	P	N
Beauty shop	P	P	P	7
Bed and breakfast inn	1	1	1	1
Beverage bottling works	N	1	P	N
Bicycle sale, rent, service	P	P	P	N
Billboard sign agency—service yard and/or workshop	N	N	1	N
Blacksmith shop	N	N	1	N
Blueprinting/photostating service	P	P	P	P
Boat building and major repair of boats	N	N	1	N
Boat parts and accessories store, no outside storage	P	P	P	N
Boat sale, rent, service	N	1	1	N
Book/record store	P	P	P	N
Bookstore adult	N	14	14	N
Bottled gas sale and related storage	N	P	P	N
Building material and lumber sales	N	1	P	N
Building trades service yard and workshop	N	N	1	N
Bus depot	1	P	P	N
Business or professional office	P	P	P	P
Butcher and meat market	P	P	P	N
Butcher, wholesale, excluding slaughterhouse	N	N	P	N
Cabinet shop	N	P	P	N
Camper shell—sales, repair, rent	N	P	P	N
Candy store	P	P	P	N
Cardroom—See Chapter 5.20	N	13	13	N
Carpet cleaning plant	N	N	P	N
Catering service	P	P	P	N
Child care center for more than six	1	P	P	1
Child care center for six or less	P	P	P	P
Church	P	P	P	P
Circus/carnival	10	10	10	N
Citizens improvement club/community center	P	P	P	P
Clinic, child/family guidance	P	P	P	P
Clinic, physical therapy	P	P	P	P

Use, Service, or Facility	Zone			
	C-1	C-2	C-3	BP
Clothing and apparel store	P	P	P	N
Coin-operated dispenser	P	P	P	N
Cold storage/frozen food locker	1	P	P	N
Computer programming/software and system design	P	P	P	P
Computer sales, rental and lease	P	P	P	N
Computer service and training	P	P	P	P
Concession, temporary	10	10	10	N
Concrete batch plant	N	N	14	N
Convenience store/neighborhood market	1	P	P	N
Costume shop—sale and rent	P	P	P	N
Creamery	N	N	P	N
Curio/novelty shop		P	P	N
Dance hall—ballroom—discotheque	N	1	P	N
Live entertainment as an incidental use in a bar or restaurant	1	1	P	N
Data processing service	P	P	P	P
Dating service (computerized video matching)	P	P	P	P
Delicatessen	P	P	P	7
Delivery service	1	P	P	P
Disinfecting/fumigating service	1	1	P	N
Drafting service	P	P	P	P
Dressmaker	P	P	P	N
Drive-in restaurant/fast food, cafe, dairy, food market or stand	1	1	P	N
Drug store, pharmacy	P	P	P	1
Drug store—Non-prescriptive drugs and sundries	P	P	P	N
Egg processing facility	N	N	P	N
Electronic equipment store	P	P	P	N
Eyeglasses, frames, and contact lens sales and service	P	P	P	1
Equipment rental agency	N	1	1	N
Equipment rental agency—office related uses only	P	P	P	N
Farm equipment—rental and incidental storage	N	1	P	N
Farmers market	10	10	10	N



Use, Service, or Facility	Zone			
	C-1	C-2	C-3	BP
Firewood—sales with special screening and fire protection	N	1	1	N
Floor covering, drapery or upholstery store	8	P	P	N
Florist	P	P	P	7
Food market ancillary to service station	P	P	P	N
Freight depot, excluding draying and truck terminal	N	N	P	N
Furniture rental agency	1	P	P	N
Furniture cleaning, refinishing and reupholstery shop	4	P	P	N
Furniture store	8	P	P	N
Funeral establishment	P	P	P	1
Garage equipment and tool sales with outside storage	N	1	1	N
Garage equipment and tool sales with no outside storage	8	P	P	N
Gardening/landscaping—service yard and workshop	N	P	P	N
Gardening/landscaping supply store	8	P	P	N
General glass sales, services, inside building; no outdoor storage	P	P	P	N
Gift-card shop	P	P	P	N
Grinding—sharpening service inside building	P	P	P	N
Grooming service, such as poodle grooming	P	P	P	N
Gunshop/gunsmith	1	6	6	N
Hang glider—sales and service	8	P	P	N
Hardware store with outside storage	1	1	P	N
Hardware store with inside storage	8	P	P	N
Hay, seed, and grain store	N	P	P	N
Hearing aid sales and service	P	P	P	N
Hospital	P	P	P	N
Hotel	N	P	P	1
Hotel/restaurant equipment sales	8	P	P	N
Moving and storage service	N	N	P	N
Ice cream, yogurt store	P	P	P	N
Ice manufacturing plant	N	N	P	N
Insurance office	P	P	P	P

Use, Service, or Facility	Zone			
	C-1	C-2	C-3	BP
Interior decorator’s service yard and workshop	1	P	P	N
Interior design center	P	P	P	P
Janitorial service	9	P	P	N
Jewelry store—sales, repair	P	P	P	N
kennel, cattery, boarding/training	N	1	1	N
Labor union	1	P	P	1
Laboratory, materials testing, inside building only	N	P	P	P
Laboratory; medical, dental, or optical	P	P	P	P
Laboratory; research, analysis	P	P	P	P
Lapidary shop	P	P	P	N
Laundromat, self-service	P	P	P	N
Laundry or cleaning agency, retail (on-site cleaning permitted)	P	P	P	7
Laundry or cleaning pick-up station	P	P	P	7
Laundry or cleaning plant, wholesale facility	N	N	P	N
Lawn mower engine and garden power tool—sales, service, repair	1	P	P	N
Library	P	P	P	P
Alcohol sales	14	6	P	N
Live theater	N	1	1	N
Live theater, adult	N	N	14	N
Locksmith—key and lock shop, repair shop	P	P	P	N
Lodge—fraternal hall	1	P	P	1
Machine shop	N	N	P	N
Mail or delivery service pick-up station	P	P	P	P
Mail order business	P	P	P	P
Massage establishment that employs or uses persons not certified under Business and Professions Code Section 4600 et seq.	1	1	1	N
Massage establishment that employs or uses persons certified under Business and Professions Code Section 4600 et seq.	P	P	P	P
Medical or dental office	P	P	P	P
Medical equipment store	8	P	P	N
Messenger service	P	P	P	P

Use, Service, or Facility	Zone			
	C-1	C-2	C-3	BP
Microbrewery	N	14	14	N
Military surplus store	8	P	P	N
Mini-storage	1	1	1	N
Motel	N	P	P	N
Motion picture theater	N	1	1	N
Motion picture theater, adult	N	N	14	N
Motorcycle, sports cycles, trail bikes, jet skis, snowmobiles, moped—sales, rent service, repair and dismantling	N	1	P	N
Moved building storage, temporary (7 days or less)	10	10	10	N
Museum	P	P	P	P
Music store, including instrument repair	P	P	P	N
Newspaper/magazine stand	P	P	P	N
Nursery, plants	1	1	P	N
Office machines and equipment sales and minor repair	P	P	P	N
<i>Reserved</i>				
Ornamental rock sales and related storage	N	1	P	N
Paint and wallpaper store	P	P	P	N
Parking lot or garages primary use	N	1	1	N
Pawn shop	N	P	P	N
Pest control service	1	P	P	N
Pet store, no kennel	1	P	P	N
Photocopy service	P	P	P	14
Photographic supply/camera store	P	P	P	N
Photographic processing plant, wholesale facility	N	N	P	N
Photography studio, including incidental processing	P	P	P	P
Picture framing shop	P	P	P	N
Pool table sale and repair service	8	P	P	N
Power tools—sales, repair	N	P	P	N
Prescription pharmacy	P	P	P	7
Print shop	P	P	P	P
Printing plant	N	N	1	N
Privately owned uses within public and government-owned buildings, facilities and grounds	P	P	P	1

Use, Service, or Facility	Zone			
	C-1	C-2	C-3	BP
Psychiatric facility	1	1	1	1
Public and government-owned building and facility, federal, state, and local	P	P	P	P
Public and government uses within privately owned buildings, facilities and grounds, federal, state and local	P	P	P	P
Public auction or flea market	N	1	P	N
Public relations or advertising office	P	P	P	P
Public utility and public service facility	P	P	P	P
Race track	N	N	1	N
Real estate office	P	P	P	P
Recreation facility, indoor	P	P	P	1
Recreation facility, outdoor	1	1	1	1
Recreational vehicle and boat storage	N	1	1	N
Recycling center	N	1	P	N
Remote caller bingo	N	1	1	N
Residence of a caretaker, proprietor or owner of a permitted use	P	P	P	P
Residential care homes for adults or children, over six persons	1	1	1	1
Residential care homes for adults or children, six persons or fewer	P	P	P	P
Resorts	N	1	P	N
Restaurant/coffee shop/cafeteria	P	P	P	7
Outdoor dining facility operated as ancillary use to a permitted restaurant—no alcohol served (encroachment permit may be required)	P	P	P	P
Outdoor dining facility operated as ancillary use to a permitted restaurant—alcohol served (encroachment permit may be required)	N	14	14	14
Saddlery shop	N	P	P	N
Sanitarium	N	1	1	N
<b>SCHOOLS</b>				
a) Business school	P	P	P	P
b) Charm, cultural school	P	P	P	1
c) College, university	1	P	P	P
d) Driving school	1	P	P	1
e) Medical related school	1	P	P	1

Use, Service, or Facility	Zone			
	C-1	C-2	C-3	BP
f) Other private school	1	P	P	1
g) Private K-12 school	P	P	P	P
h) Public K-12 school	P	P	P	P
i) Vocational school	1	P	P	1
Self-defense, judo, boxing, gymnastics, swimming or similar activities	P	P	P	1
Senior citizens residential complex	1	1	1	1
Shoe repair shop, shoeshine store	P	P	P	P
Single room occupancy (SRO) units	N	P	1	N
Social rehabilitation center	1	6	6	1
Soda fountain/ice cream parlor	P	P	P	N
Snack bar incidental to a park, boat dock, other water-oriented use	10	10	10	N
Stadiums	N	1	1	N
Stamp/coin store	P	P	P	N
Stationery store	P	P	P	N
Stenographic service	P	P	P	P
Studio—dance, voice, music	P	P	P	N
Studio—radio, television, recording	1	P	P	1
Supermarket/food store	8	P	P	N
Swimming pool, spa—sales and service	8	P	P	N
Tackle shop	P	P	P	N
Tailor	P	P	P	N
Tattoo establishment/body art	N	1	1	N
Taxi cab service and storage facility	N	P	P	N
Taxidermist	1	P	P	N
Telecommunication tower—new equipment or accessory building not colocating on existing tower or equipment	14	14	14	14
Telecommunication tower—colocation of equipment and accessory building on existing tower and equipment	1	1	1	1
Telephone answering service	P	P	P	P
Television and radio repair shop, sales	P	P	P	N
Tobacco shop, smoke lounge, electronic cigarette retail store or lounge and similar activities	1	6	6	N
Tool reconditioning	N	P	P	N

Use, Service, or Facility	Zone			
	C-1	C-2	C-3	BP
Towed vehicles storage (operable and/or inoperable) vehicles	N	1	1	N
Towing service—no storage of any vehicles	N	P	P	N
Toy store	P	P	P	N
Trade school	1	P	P	1
Travel agency	P	P	P	P
Travel trailer/mobilehome, motorhome, camper—sale, rent, storage	N	1	1	N
Travel trailer park	N	1	12	N
Tree service	N	P	P	N
Trophy/emblem store	P	P	P	N
Truck sale or rent	N	1	P	N
Truck service stations, excluding truck terminal	N	N	P	N
Utility trailer—rental, service, sales	N	1	P	N
Utility trailer or truck, rent or storage as ancillary to service stations	N	1	P	N
Veterinarian—animal hospital/clinic	8	P	P	N
Video store, sales and rental	P	P	P	N
Warehousing and storage	N	N	P	N
Watches—sale, repair	P	P	P	N
Water recreation equipment—rental, sales	8	8	P	N
Wedding chapel	N	P	P	N
Welding shop	N	N	P	N
Wholesale distributor’s service facility	N	N	P	N
Winery sales facility/tasting room	1	6	P	N

1. Permitted only upon the issuance of a minor conditional use permit by the planning commission or the historic district commission.

2. Permitted as an incidental service function intended to satisfy the normal operating needs of a permitted retail use on the property. An independent servicing facility oriented toward generating its trade from the general public is not permitted in this zone.

3. Reserved.

4. Permitted use only if the entire operation, including parking and storage of vehicles used in connection with the operation, is conducted within a completely enclosed building or behind a solid six-foot fence on the buildable area of the lot. Fence is to be approved by the community development department before commencement of proposed use.

Use, Service, or Facility	Zone			
	C-1	C-2	C-3	BP

5. Permitted use within the zone, but must not have a drive-up or remote tellers.

6. Permitted use within the zone when the commercial structure is located five hundred feet or more from a residential use and one thousand feet from the property line of any public or private school (kindergarten to twelfth grade), and as long as the operating hours are between 6:00 a.m. and 11:00 p.m. If not within the prescribed conditions as described above, the use is subject to the issuance of a conditional use permit.

7. Permitted use within the zone when located as one tenant in a building and not occupying more than fifteen percent of the total floor area of the building. If the use occupies more than fifteen percent of the total floor area of the building or is a freestanding use, a conditional use permit is required.

8. Permitted use in the zone only when there is no outdoor storage and the gross area of the use does not exceed two thousand five hundred square feet. If the gross area of the use is larger than two thousand five hundred square feet, the use is subject to the issuance of a conditional use permit.

9. Permitted use if the entire operation is conducted within a completely enclosed building.

10. A temporary use permit is required in this zone issued by the community development department.

11. All proposed service stations within the C-3 zone require the issuance of a conditional use permit with the exception of proposed service stations on property contiguous to Highway 50 and that are within one thousand five hundred feet of an existing interchange/overcrossing as determined and measured by the community development department.

12. Proposed use is permitted on property contiguous to Highway 50 and within one thousand five hundred feet of an existing interchange/overcrossing as determined and measured by the community development department. If not within the prescribed area stated above, the use is allowed subject to the issuance of a conditional use permit.

13. Proposed cardrooms require the issuance of a permit to operate by the city council pursuant to Chapter 5.20, in addition to a major conditional use permit.

14. Proposed use shall be accompanied with a major use permit processing fee and is permitted only upon the issuance of a conditional use permit. (Ord. 1244 § 2, 2015; Ord. 1169 § 3, 2012; Ord. 887 § 2 Exh. A (part), 1998)