



**STAFF REPORT
HOLLISTER PLANNING COMMISSION
MEETING DATE: November 20, 2025
REPORT # Community Development-2025-78**

AGENDA ITEM: REVIEW OF PROPOSED PHASE 3 ZONING ORDINANCE AMENDMENT LANGUAGE OF CITY OF HOLLISTER ZONING ORDINANCE (ZOA 2025-4)

DEPARTMENT HEAD: Rod Powell, Assistant City Manager
STAFF CONTACT: Erica Fraser, AICP, Contract Senior Planner

RECOMMENDED ACTION: Review the proposed draft Zoning Ordinance amendment language and provide staff with comments.

CEQA: The proposed Zoning Ordinance amendments are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378.

City staff are proposing language revisions to the City's Zoning Ordinance (Title 17 of the Municipal Code). The purpose of this revision is to ensure compliance with state law, create a more user-friendly document for both staff and the public, to modernize and incorporate current trends to better reflect the current needs of the community, and to fix errors.

The proposed phases of the revision are as follows:

- Phase 1 – Edits to the Zoning Ordinance for consistency with State Law. In the past two years, staff have made several amendments to the Zoning Ordinance to ensure consistency with State Law. This Phase is on-going and as needed.
- Phase 2 – Edits to the Use Tables and Definitions. Staff have identified this as an important step to clear up existing inconsistencies and provide clear definitions for each use listed in the use tables. The Planning Commission recommended approval of this Phase at its July 2025 meeting. The City Council adopted Ordinance 1267 on October 20, 2025, which implements the Use Table and Definitions update.
- Phase 3 – Revision of permitting requirements through an intended repeal and replace of Chapter 17.24, Administration and Enforcement, of the Zoning Ordinance. Study Sessions on the revisions began in September (current phase).
- Phase 4 – Remainder of the Zoning Ordinance.

Once all phases have been completed, the Zoning Ordinance will be repealed and replaced in its entirety.

Phase 3 Study Session

This is the second Study Session for Phase 3 revision of the Zoning Ordinance. For this phase of revisions, staff propose the removal of the current section and that it be replaced by the addition of new Chapters for each permit type to make them more accessible within the Zoning Ordinance. Language has also been updated to be consistent with the goals

for the revision of the Zoning Ordinance.

The following new and revised Chapters are proposed:

- Chapter 17.02, Title, Purpose and Authority*
- Chapter 17.72, Authority and Development Permit Decisions*
- Chapter 17.74, Permit Procedures*
- Chapter 17.76, Environmental Review
- Chapter 17.78, Appeals*
- Chapter 17.80, General Plan Amendments*
- Chapter 17.82, Specific Plans*
- Chapter 17.84, Zoning Ordinance Amendments
- Chapter 17.86, Rezoning/Annexation
- Chapter 17.88, Development Agreements
- Chapter 17.90, Planned Developments
- Chapter 17.92, Density Bonuses
- Chapter 17.94, Site & Architectural Review
- Chapter 17.96, Conditional Use Permits
- Chapter 17.100, Temporary Use Permits
- Chapter 17.102, Variances
- Chapter 17.110, Reasonable Accommodations
- Chapter 17.112, Nonconforming Uses and Structures
- Chapter 17.118, Enforcement

* Reviewed by the Planning Commission during a prior study session.

Discussion of the proposed Chapters will occur in groups within several study sessions to facilitate discussion of each chapter. The Planning Commission reviewed several draft chapters during a Study Session on September 25, 2025. No modifications were proposed.

ANALYSIS: The Chapters to be reviewed during this Study Session are discussed in detail below. Please note that some Chapter or section references are blank at this time and will be completed once the Planning Commission's review of Phase 3 is complete.

Chapter 17.94, Site and Architectural Reviews

This Chapter establishes the types of improvements that will require Site and Architectural Review (S&A) approval. Currently, the improvements that require an S&A are found in several different sections within the Zoning Ordinance. Staff are proposing to combine all requirements for a S&A in one section for clarity.

Currently, an improvement may require an Administrative Permit Review or S&A. Administrative Permit Reviews (APR) are staff level reviews while S&A requires review by the Planning Commission. Similar to S&A, the improvements that require an APR can be found in Sections 17.24.150 and .160 as well as several sections within the Zoning

Ordinance.

In order to provide clarity for staff and the public, staff are proposing to eliminate Administrative Permit Reviews as a permit type and require a S&A for all types of improvements. The following permits are proposed:

- **Administrative Site and Architectural Review.** This permit type would replace Section 17.24.150, Administrative Permits without notice or hearing. These types of improvements are considered minor and require only Planning review. These applications are typically reviewed in five (5) days or less. The types of projects which require an Administrative Site and Architectural Review are listed in Section 17.94.020 of the draft Chapter.
- **Minor Site and Architectural Review.** This permit type is proposed to replace the Administrative Permit Review with notice and hearing (Section 17.24.160). These types of permits typically require a project to be routed to the Development Review Committee for review. These projects typically require conditions of approval to ensure there are no impacts, but which are not expected to generate significant impacts so review by the Community Development Director is appropriate. Notice of the Director's intention to approve a Minor Site and Architectural Review will be mailed to all properties within 300 feet of the project site providing an opportunity for review or comments. The list of improvements that are proposed to require a Minor Site and Architectural Review can be found in Section 17.94.030 of the attached draft Chapter.
- **Major Site and Architectural Review.** The types of improvements that require a Major Site and Architectural Review are similar to the current requirements for a Site and Architectural Review, with a few modifications. Staff are proposing to change the review requirement for small residential developments and additions (which are not visible from the public right-of-way) to review by the Community Development Director. Staff are proposing that any residential project with 10 or fewer residential units could be reviewed administratively. This is in keeping with state legislation that pushes toward housing streamlining and many types of ministerial reviews for housing projects. Improvements that require a Major Site and Architectural review can be found in Section 17.94.040 and are improvements that have the potential for creating significant impacts on the surrounding area.

The draft Chapter is included as Attachment 1.

Chapter 17.96, Conditional Use Permits

This Chapter describes the process and procedures for Conditional Use Permits (CUP). A CUP is required for uses which the City has determined could be compatible with the neighborhood, but which need to be reviewed and conditioned so that the proposed use does not create negative impacts on the surrounding area. The City currently has two different types of use permits, which require review by the Community Development Director or Planning Commission. Review by the Planning Commission is required for

projects that could have significant impacts on the surrounding area with respect to noise or traffic (such as live entertainment or a bar). Review by the Community Development Director is required for uses that may have minimal impacts, but which require further review to ensure those impacts do not negatively impact business in the surrounding area (such as uses which require a significant number of parking spaces).

Conditional Use Permits are required for the uses listed as conditional on the use tables in the Zoning Ordinance. Currently, conditional uses that are reviewed by the Community Development Director are noted as requiring an Administrative Use Permit and uses that require review by the Planning Commission are noted as requiring a Conditional Use Permit. Staff are proposing to change the uses listed as requiring an Administrative Permit Review to Minor Conditional Use Permit, which is the appropriate review type. This will be clearer for applicants, whereas currently the APR is used both for staff-level design review and staff level use permit review. This change would further distinguish the two different procedures for clarity.

The proposed modifications will also require an amendment to the City's Use Tables to change any APR designation to mCUP.

The draft Chapter is included as Attachment 2.

CEQA: The proposed Zoning Ordinance amendments are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378.

CONCLUSION: Staff request feedback on the Draft Chapters included in this staff report. The Planning Commission is invited to ask questions and provide comments during the Study Session. Staff will then take the feedback received during the Study Session and incorporate it into future drafts as necessary.

Staff will bring the next portion of the Phase 3 review to a third Study Session in the near future.

PREVIOUS COUNCIL OR COMMISSION ACTION: None

ATTACHMENTS:

1. Draft Chapter 17.94, Site and Architectural Review
2. Draft Chapter 17.96, Conditional Use Permit