



**STAFF REPORT
HOLLISTER PLANNING COMMISSION
MEETING DATE: March 26, 2026
REPORT # Community Development-2026-14**

AGENDA ITEM: PHASE 3 ZONING ORDINANCE AMENDMENTS RELATED TO PERMITS AND PROCEDURES (ZOA 2025-4).

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

RECOMMENDED ACTION: Adopt a Resolution recommending City Council approval of the new permitting Chapters of the Zoning Ordinance and related minor modifications.

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

PROJECT DESCRIPTION: The proposed amendments to the Zoning Ordinance are related to the “permitting procedures” and permit types currently included in Chapter 17.24, Administration and Enforcement. The Planning Commission has discussed the proposed amendments to the Zoning Ordinance during four study sessions.

ANALYSIS: Chapter 17.02, General Provisions, and Chapter 17.24, Administration and Enforcement, are proposed to be repealed and replaced with the following:

- Chapter 17.02, Title, Purpose and Authority
- Chapter 17.03, Zoning Districts and Zoning Map
- Chapter 17.72, Authority and Development Permit Decisions
- Chapter 17.74, Permit Procedures
- 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 Bonus
- Chapter 17.94, Site & Architectural Review
- Chapter 17.96, Conditional Use Permits
- Chapter 17.98, Sign Permit
- Chapter 17.100, Temporary Use Permits
- Chapter 17.102, Variances
- Chapter 17.104, Ministerial Review
- Chapter 17.110, Reasonable Accommodations
- Chapter 17.112, Nonconforming Uses and Structures
- Chapter 17.118, Enforcement

- Section 16.44.080, Lot Line Adjustments

Minor changes have been made to the draft Chapters after the Study Sessions. These modifications are:

- Chapter 17.72, Authority and Development Permit Decisions. Updated to correctly show the new chapter locations for all permit types.
- Planned Developments. This Chapter has been renumbered (from Chapter 17.66 to Chapter 17.90) so that it is located with the permit types. Additionally, the Ordinance has been reformatted so that the style is consistent with the new Chapters.
- Density Bonuses. This Chapter has been renumbered (from Chapter 17.34 to Chapter 17.92) so that it is located with the permit types. Additionally, the Ordinance has been reformatted so that the style is consistent with the new Chapters.
- Updated each Chapter to reflect section numbers that were previously left blank.

Chapter 17.02, Title, Purpose, and Authority

During the February Study Session, one person spoke and expressed concern that the proposed amendments to the permitting chapters would affect projects within the City and requested that the City allow applicants with incomplete applications to continue with their projects and not be required to conform to the proposed Zoning Ordinance Amendments.

The Planning Division has approximately six active, incomplete applications at time of writing this report. Of those, five are conditional use permit applications, and one is a development application that includes a subdivision, site and architectural review, and a conditional use permit. The proposed amendments to the procedures chapters would not have any meaningful impact to these active applications, because the processing of conditional use permits, site and architectural review, and subdivision maps are not being fundamentally changed as part of the proposed ordinance amendments. However, it is technically true that if the applications remain incomplete at the time that the ordinance goes into effect, the new ordinance would apply to the project applications.

With this being said, during the February Planning Commission study session, the applicant for the development project spoke during the public comment, expressing concern that the proposed ordinance amendments would impact his project that is currently under review. While the procedures chapters (this item) would not have a meaningful impact on the project, the proposed General Plan Update, 6th Cycle Housing Element, and ordinance amendments related to implementing the necessary rezones (all items also on the agenda for the planning commission meeting) will have an impact to the project proposal. The General Plan is proposing to increase the density of the West Gateway Mixed-Use Zoning District from current 20-35 du/ac to 30-65 du/ac. This is discussed in greater detail in the Housing Element staff report, as staff have received a

written request for removal of this mixed-use site from the housing element to support a commercial project proposal on the site. However, in brief summary, staff have recommended to the applicant that the most efficient path forward for a commercial project at their proposed location is to rezone the property to General Commercial following direction from the City Council to remove the site from the Housing Element, which would facilitate the elimination of the mixed-use requirement currently in the code.

During the February study session, it was requested that staff review neighboring jurisdictions to see if the adoption of ordinance amendments have a longer sunset clause prior to those ordinances coming into effect for incomplete project applications. Staff have reviewed several surrounding cities to determine if their Zoning Ordinances allow extra time for the Zoning Ordinance to take effect for projects which were applied for but not complete prior to the effective date. In the surrounding area, cities either specifically state that the project must comply with the amended ordinance if not complete, or do not include specific regulations (which would mean that any project that is not complete would be required to comply). One City, San Juan Bautista, is further restrictive by requiring projects to start construction within one year of the effective date of the ordinance or the project is required to comply.

The proposed amendments do not change the current requirements for projects which are incomplete. The Municipal Code currently requires any project which is incomplete comply with any updates to the Zoning Ordinance that are applicable to their project. Based on the review of neighboring jurisdictions, staff are not recommending changes to the proposed effective date as was drafted and reviewed at the February study session. The draft ordinance proposes that the new procedures chapters will become effective 30 days following adoption of the ordinance, and will be effective for any application that has not been deemed complete by the effective date of the ordinance. This is consistent with all past city ordinance adoptions as well, which also have a standard 30-day effective date.

Chapter 17.94, Site and Architectural Review

This Chapter was slightly altered to modify the findings (Section 17.94.070). The findings were modified to comply with the policies of the Housing Element, comply with the no net loss requirements of Housing Element Law, and clearly show which findings apply to specific project types.

No other modifications are proposed to the Chapters reviewed by the Planning Commission during the four study sessions.

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: The proposed modifications to the Zoning Ordinance will clarify permitting requirements in the City. Additionally, the proposed modifications will allow for smaller projects to be reviewed by the Community Development Director rather than

requiring a longer review time (Planning Commission review can add over a month to the total project timeline).

The revisions to the permitting chapters to include easy to understand language and a path for ministerial reviews must also be adopted as a part of the City's Housing Element goals and policies.

PREVIOUS COUNCIL OR COMMISSION ACTION: None

PLANNING COMMISSION OPTIONS: The Planning Commission has the following options:

1. Adopt a Resolution recommending City Council approval of the modifications to the Zoning Ordinance as included in the attached draft Ordinance; or
2. Adopt a Resolution recommending City Council approval of the modifications to the Zoning Ordinance with modifications to the draft Ordinance as proposed by the Planning Commission; or
3. Adopt a Resolution recommending City Council denial of the proposed amendments.

ATTACHMENTS:

1. Planning Commission Resolution recommending City Council approval of Phase 3 of the Zoning Ordinance Amendments (ZOA 2025-4)
2. Draft City Council Ordinance
 - a. Exhibit A – Chapter 17.02 Title Purpose and Authority
 - b. Exhibit B – Chapter 17.03 Zoning Districts and Zoning Map
 - c. Exhibit C – Chapter 17.72 Land Use and Decisions
 - d. Exhibit D – Chapter 17.74 Permit Procedures
 - e. Exhibit E – Chapter 17.78 Appeals
 - f. Exhibit F – Chapter 17.80 General Plan Amendments
 - g. Exhibit G – Chapter 17.82 Specific Plans
 - h. Exhibit H – Chapter 17.84 Zoning Ordinance Amendments
 - i. Exhibit I – Chapter 17.86 Rezoning and Annexation
 - j. Exhibit J – Chapter 17.88 Development Agreements
 - k. Exhibit K – Chapter 17.90 Planned Developments
 - l. Exhibit L – Chapter 17.92 Density Bonus
 - m. Exhibit M – Chapter 17.94 Site and Architectural Review
 - n. Exhibit N – Chapter 17.96 Conditional Use Permits
 - o. Exhibit O – Chapter 17.98 Sign Permit
 - p. Exhibit P – Chapter 17.100 Temporary Use Permit
 - q. Exhibit Q – Chapter 17.102 Variances
 - r. Exhibit R – Chapter 17.104 Ministerial Review
 - s. Exhibit S – Chapter 17.110 Reasonable Accommodation
 - t. Exhibit T – Chapter 17.112 Nonconforming Uses and Structures

- u. Exhibit U – Chapter 17.118 Enforcement
- v. Exhibit V – Chapter 16.44.080 Lot Line Adjustments