



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**HISTORIC DISTRICT COMMISSION AGENDA  
SPECIAL MEETING**

**March 17, 2021**

**CITY COUNCIL CHAMBERS**

**4:00 p.m.**

**50 Natoma Street**

**Folsom, California 95630**

**Pursuant to Governor Newsom's Executive Order N-29-20, members of the Folsom Historic District Commission and staff may participate in this meeting via teleconference.**

**Due to the coronavirus (COVID-19) public health emergency, the City of Folsom is allowing remote public input during Commission meetings. Members of the public are encouraged to participate by e-mailing comments to [kmullett@folsom.ca.us](mailto:kmullett@folsom.ca.us). E-mailed comments must be received no later than thirty minutes before the meeting and will be read aloud at the meeting during the agenda item. Please make your comments brief. Written comments submitted and read into the public record must adhere to the principles of the three-minute speaking time permitted for in-person public comment at Commission meetings. Members of the public wishing to participate in this meeting via teleconference may email [kmullett@folsom.ca.us](mailto:kmullett@folsom.ca.us) no later than thirty minutes before the meeting to obtain call-in information. Each meeting may have different call-in information. Verbal comments via teleconference must adhere to the principles of the three-minute speaking time permitted for in-person public comment at Historic District Commission meetings.**

**Members of the public may continue to participate in the meeting in person at Folsom City Hall, 50 Natoma Street, Folsom CA while maintaining appropriate social distancing.**

**CALL TO ORDER HISTORIC DISTRICT COMMISSION:** Daniel West, Kathleen Cole, Mickey Ankhelyi, Kevin Duewel, Mark Dascallos, John Felts, Daron Bracht

*Any documents produced by the City and distributed to the Historic District 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.*

**PLEDGE OF ALLEGIANCE**

**CITIZEN COMMUNICATION:** The Historic District Commission welcomes and encourages participation in City Historic District 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 the March 3, 2021 meeting will be presented for approval.

**PUBLIC HEARING**

**1. PN 21-026, 300 Reading Street Conditional Use Permit and Determination that the Project is Exempt from CEQA**

A Public Hearing to consider a request from William E. Henderson for approval of a Conditional Use Permit application to operate a tattoo parlor at 300 Reading Street. The zoning classification for the site is HD, while the General Plan land-use designation is HF. The project is exempt from the California Environmental Quality Act in

accordance with Section 15301 of the CEQA Guidelines. **(Project Planner: Associate Planner, Josh Kinkade/Applicant: William E. Henderson)**

**WORKSHOP**

**2. PN 19-051, Zoning Code Update – Update on Progress, Schedule, and Remaining Tasks**

Staff is returning to the Commission for an update on progress on the new Zoning Code. The purpose of this workshop is to review topics covered so far, remaining tasks, and to discuss the current schedule. **(Project Planner: Principal Planner, Desmond Parrington)**

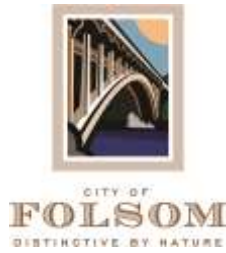
**HISTORIC DISTRICT COMMISSION / PRINCIPAL PLANNER REPORT**

The next Historic District Commission meeting is scheduled for **April 7, 2021**. 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) 461-6200 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) 461-6231, (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 Historic District Commission Action:** 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, this public hearing. Any appeal of a Historic District 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.



**HISTORIC DISTRICT COMMISSION MINUTES**  
**March 3, 2021**  
**CITY COUNCIL CHAMBERS**  
**5:00 p.m.**  
**50 Natoma Street**  
**Folsom, California 95630**

**CALL TO ORDER HISTORIC DISTRICT COMMISSION:** Daniel West, Kathleen Cole, Mickey Ankhelyi, Kevin Duewel, John Felts, Mark Dascallos, Daron Bracht

**ABSENT:** Cole

**PLEDGE OF ALLEGIANCE**

**CITIZEN COMMUNICATION:** None

**MINUTES:** The minutes of the February 3, 2021 meeting were approved as submitted.

**Oath of Office Administered to John Felts and Mark Dascallos**

**NEW BUSINESS**

**1. PN 21-017, 502 Natoma Street Remodel and Determination that the Project is Exempt from CEQA**

A Public Meeting to consider a request from Adrian Blanco for approval of a Design Review application for the remodel of an existing 1,631-square-foot commercial building located at 502 Natoma Street. The zoning classification for the site is BP/NRB, while the General Plan land-use designation is CC. The project is exempt from the California Environmental Quality Act in accordance with Section 15301 of the CEQA Guidelines. **(Project Planner: Josh Kinkade/Applicant: Adrian Blanco)**

1. Bob Delp addressed the Historic District Commission citing concerns that a clear site plan was not submitted with this project per the Zoning Code section 17.52.310(E).

COMMISSIONER BRACHT MOVED TO CONTINUE PN 21-017 TO A LATER MEETING DATE TO ALLOW THE APPLICANT TIME TO PROVIDE A SITE PLAN TO THE COMMISSION.

COMMISSIONER WEST SECONDED THE MOTION WHICH CARRIED THE FOLLOWING VOTE:

AYES: WEST, ANKHELYI, DASCALLOS  
NOES: DUEWEL, BRACHT  
RECUSED: FELTS  
ABSENT: COLE

**PRINCIPAL PLANNER REPORT**

The next scheduled Historic District Commission meeting will be held March 17, 2021 at a special meeting time of 4:00 P.M.

RESPECTFULLY SUBMITTED,

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Kelly Mullett, ADMINISTRATIVE ASSISTANT

**APPROVED:**

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Daron Bracht, CHAIR



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**AGENDA ITEM NO. 1**  
**Type: Public Hearing**  
**Date: March 17, 2021**

## **Historic District Commission Staff Report**

50 Natoma Street, Council Chambers  
Folsom, CA 95630

**Project:** 300 Reading Street Conditional Use Permit  
**File #:** PN 21-026  
**Request:** Conditional Use Permit  
**Location:** 300 Reading Street  
**Parcel(s):** 070-0094-012  
**Staff Contact:** Josh Kinkade, Associate Planner, 916-461-6209  
[jkinkade@folsom.ca.us](mailto:jkinkade@folsom.ca.us)

### **Property Owner/Applicant**

Name: William E. Henderson  
Address: 111 Mesquite Court,  
Folsom, CA 95630

**Recommendation:** Conduct a public hearing and upon conclusion recommend approval of a Conditional Use Permit application to operate a tattoo parlor at 300 Reading Street (PN 21-026) subject to the findings included in this report (Findings A-G) and attached conditions of approval (Conditions 1-14).

**Project Summary:** The proposed project includes operation of a tattoo parlor business within an existing 800-square-foot commercial building located at 300 Reading Street.

### **Table of Contents:**

- 1 - Description/Analysis
- 2 - Background
- 3 - Conditions of Approval
- 4 - Vicinity Map
- 5 - Proposed Site Plan and Floor Plans, Received 2-11-21
- 6 - Applicant's Narrative
- 7 - Photograph of the Project Site
- 8 - Comment Letters from Laurette Laurent
- 9 - Staff PowerPoint Presentation



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**AGENDA ITEM NO. 1**  
**Type: Public Hearing**  
**Date: March 17, 2021**

Submitted,

A handwritten signature in blue ink, appearing to read "Pam Johns", with a long horizontal flourish extending to the right.

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PAM JOHNS  
Community Development Director

## ATTACHMENT 1 DESCRIPTION/ANALYSIS

### APPLICANT'S PROPOSAL

The applicant, William E. Henderson, is requesting approval of a Conditional Use Permit (PN 21-026) to operate a tattoo parlor business (Folsom City Ink) within an existing 800-square foot commercial building located at 300 Reading Street. Folsom City Ink has been operating at their current location at 97 Natoma Street since 2000 in compliance with their approved Conditional Use Permit but is looking to move their business to a new location. According to the attached project narrative (Attachment 6), the applicant would have six tattoo stations and is asking to operate Monday through Sunday between the hours of 10:00 am and 10:00 pm. Existing on-site parking would be utilized. No exterior modifications to the building are proposed other than future installation of a wall sign and no interior structural modifications are proposed.

### POLICY/RULE

Section 17.52.360 of the Folsom Municipal Code states that the Historic District Commission shall have final authority relating to the issuance of Conditional Use Permits for any of the uses or purposes for which such permits are required or permitted by the terms of this title, within the boundaries of the Historic District. In acting upon applications for conditional use permits, the Historic District Commission shall adhere to the procedural requirements set forth in FMC Chapter 17.60 (except for matters of appeal which are governed by FMC Section 17.52.700 through 720). FMC 17.60.020 states that application for a use permit shall be made to the Community Development Department in writing, on a form prescribed by the department, and shall be accompanied by plans and elevations necessary to show details of the proposed land use activities on the subject property. FMC 17.60.040 states that the findings of the Commission's findings shall be that the establishment, maintenance or operation of the use or building applied for will or will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the city.

### GENERAL PLAN AND ZONING CONSISTENCY

The General Plan land use designation for the project site is HF (Historic Folsom) and the zoning designation for the project site is HD (Historic District). The subject site is located within the Sutter Street Subarea of the Historic District. Pursuant to Section 17.52.510 of the Folsom Municipal Code (FMC), "uses which would require a Conditional Use Permit from the Planning Commission in the modern Central Business District (C-2 zone) require a Conditional Use Permit from the Historic District Commission" in the Sutter Street Subarea. The Folsom Municipal Code states that

tattoo/body art establishments are a permitted use within a Central Business District zoning district (C-2) upon the issuance of a Conditional Use Permit by the Historic District Commission. Therefore, staff has determined that the proposed use requires a Conditional Use Permit (CUP).

## **ANALYSIS**

In order to approve a request for a Conditional Use Permit, the Commission must find that the “establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the City” (FMC, Section 17.60.040).

In reviewing this request for a Conditional Use Permit, staff took into consideration the proposed use and the compatibility of the proposed business in relation to surrounding land uses and businesses. The Folsom City Ink establishment is proposed to be located within an existing commercial/retail space located at 300 Reading Street. The building is located adjacent to residential uses and across the street from both commercial and residential uses. Proposed hours of operation (10:00 a.m. to 10:00 p.m.) are compatible with those of existing businesses in the area, which are generally open between 10:00 a.m. and 10:00 p.m. Furthermore, there is no proposed entertainment or outdoor use associated with the business (which is also being prohibited by Condition No. 12).

Based on the mixed-use nature of the project area and the operational characteristics of Folsom City Ink, staff has determined that the proposed use is compatible with the surrounding land uses and businesses and would not produce any additional impacts to nearby residential uses beyond any other business allowed by right in the Sutter Street Commercial Primary Area. Staff notes that two separate tattoo shops were approved in 2018 by the Historic District Commission in the Sutter Street Commercial Primary Area. Similar conditions are imposed on the proposed project to ensure minimum impacts to surrounding businesses. Existing and prior tattoo studios in Folsom (including the existing location for Folsom City Ink at 97 Natoma Street) have not generated any significant impacts to nearby properties as conditioned based on the absence of Code Enforcement cases associated with these uses in recent years.

In considering the request by the applicant for a Conditional Use Permit, staff also evaluated potential health and safety-related impacts that may be associated with operation of a tattoo business at the subject commercial location in relation to existing State regulations. On October 9, 2011, Governor Brown signed AB 300, also known as the “Safe Body Art Act”, which has been amended since its passage. The intent of the law is to provide fair, safe, and enforceable standards across California for body art, including tattooing, permanent makeup, body piercing, and branding. The law requires



a person performing body art work to register annually with the local enforcement agency, requires blood-borne pathogen training, establishes sanitation requirements, and requires the owner of a body art facility to obtain and annually renew a health permit.

In this particular case, the Sacramento County Environmental Management Department is the local enforcement agency relative to the aforementioned requirements. Staff recommends that the owner/applicant provide evidence that they have filed a Certificate of Registration with the Sacramento County Environmental Management Department for each individual tattoo artist working at 300 Reading Street. In addition, staff recommends that owner/applicant comply with all requirements of the Safe Body Art Act, Health & Safety Code § 119300, et seq. Conditions No. 10 and No. 11 are included to reflect these requirements.

Planning staff consulted with the City of Folsom Police Department to determine if there are any potential issues associated with operation of the tattoo parlor business as proposed. The Police Department does not have any safety-related concerns about the proposed operation of a tattoo parlor as described by the applicant at the subject location on Reading Street.

Pursuant to Sections 17.60.050 and 17.52.360 of the Folsom Municipal Code, in any case where the conditions to the granting of a Use Permit have not been, or are not, complied with, the Historic District Commission may revoke the permit after a public hearing on the matter. Therefore, the 300 Reading Street Conditional Use Permit is subject to ongoing review by the Community Development Department to ensure that it does not result in adverse impacts to the community. If the Community Development Director finds evidence that conditions of approval for the 300 Reading Street tattoo business have not been fulfilled or that the use has resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or have a substantial adverse impact on public facilities or services or the general welfare of the City, the Director will refer the Use Permit to the Historic District Commission for review. If, upon such review, the Historic District Commission finds that any of the above-stated results have occurred, the Commission may modify or revoke the Conditional Use Permit following a hearing on the matter. Condition No. 2 is included to reflect this requirement.

Regarding parking, FMC Section 17.52.510(F) requires one off-street parking space per 350 square feet of building space for retail, offices and restaurants. Given the 800 square feet of building space, this would result in a requirement of 2.3 spaces for these uses. The existing private parking lot contains seven spaces and is not shared with other uses. Furthermore, the proposed use will retain the same commercial parking standard. As such, adequate off-street parking currently exists on the project site under the proposed use.

Finally, signage for the proposed use is not included in this application. Signage is

subject to FMC Chapter 17.59 as modified by Chapter 17.52, and the Historic District Design and Development Guidelines. Condition No. 13 is included to reflect this requirement.

### **ENVIRONMENTAL REVIEW**

The project is categorically exempt under Section 15301 Existing Facilities of the California Environmental Quality Act (CEQA). Based on staff's analysis of this project, none of the exceptions in Section 15300.2 of the CEQA Guidelines apply to the use of the categorical exemption(s) in this case.

### **RECOMMENDATION/HISTORIC DISTRICT COMMISSION ACTION**

Move to approve the 300 Reading Street Conditional Use Permit (PN 21-026), subject to the findings included in this report (Findings A-G) and attached conditions of approval (Conditions 1-14).

### **GENERAL FINDINGS**

- A. NOTICE OF HEARING HAS BEEN GIVEN AT THE TIME AND IN THE MANNER REQUIRED BY STATE LAW AND CITY CODE.
- B. THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN AND THE ZONING CODE OF THE CITY.

### **CEQA FINDINGS**

- C. THE PROJECT IS CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW UNDER SECTION 15301 EXISTING FACILITIES OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).
- D. THE CUMULATIVE IMPACT OF SUCCESSIVE PROJECTS OF THE SAME TYPE IN THE SAME PLACE, OVER TIME IS NOT SIGNIFICANT IN THIS CASE.
- E. NO UNUSUAL CIRCUMSTANCES EXIST TO DISTINGUISH THE PROPOSED PROJECT FROM OTHERS IN THE EXEMPT CLASS.
- F. THE PROPOSED PROJECT WILL NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE.

### **CONDITIONAL USE PERMIT FINDING**

- G. AS CONDITIONED, THE ESTABLISHMENT, MAINTENANCE OR OPERATION OF THE USE APPLIED FOR WILL NOT, UNDER THE CIRCUMSTANCES OF

THIS PARTICULAR CASE, BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, MORALS, COMFORT, AND GENERAL WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD, OR BE DETRIMENTAL OR INJURIOUS TO PROPERTY AND IMPROVEMENTS IN THE NEIGHBORHOOD OR TO THE GENERAL WELFARE OF THE CITY, AS THE PROPOSED BUSINESS WILL HAVE NOT HAVE NEGATIVE IMPACTS TO NEARBY COMMERCIAL OR RESIDENTIAL USES THAT HAVE NOT BEEN MITIGATED.

**ATTACHMENT 2  
BACKGROUND**

**BACKGROUND**

The commercial building located at 300 Reading Street was constructed in 1960 according to Sacramento County Assessors records. In addition to development of the commercial building, the project site was improved with seven parking spaces and site landscaping. The commercial building has been operated as an inn, wine and delicatessen shop, café and garden store in recent years.

**GENERAL PLAN DESIGNATION**

HF, Historic Folsom

**ZONING**

HD, Sutter Street Subarea of the Commercial Primary Area

**ADJACENT LAND USES/ZONING**

North: Sutter Street (HD)

South: Sutter Street-Figueroa Street Alley with a two-family residence (FIG) beyond

East: Reading Street with Sutter Street commercial area (HD) beyond

West: Regional Transit railroad tracks with Folsom Boulevard beyond

**SITE CHARACTERISTICS**

The 5,473-square-foot parcel consists of a one-story 800-square-foot commercial/retail building with a parking lot and associated landscaping.

**APPLICABLE CODES**

FMC Chapter 15.52; HD, Historic District  
FMC Chapter 17.60; Use Permits

## **ATTACHMENT 3**

# **Conditions of Approval**

**CONDITIONS OF APPROVAL FOR  
 300 READING STREET CONDITIONAL USE PERMIT  
 (PN 21-026)**

Cond. No.	Mitigation Measure	GENERAL REQUIREMENTS	When Required	Responsible Department
1.		<p>This Conditional Use Permit is approved for the establishment of the Folsom City Ink business at 300 Reading Street, which includes operation of a tattoo parlor within an 800-square-foot commercial space. Hours of operation for the business shall be not exceed the hours of 10:00 a.m. through 10:00 p.m. Monday through Sunday. The Folsom City Ink business shall substantially conform to the exhibit referenced below:</p> <ul style="list-style-type: none"> <li>• Floor Plans, received February 11, 2021</li> </ul> <p>Any expansion of the days and/or hours of operation or plans shall be subject to review and approval by the Historic District Commission through a Conditional Use Permit Modification.</p>	OG	CD (P)
2.		<p>If the Community Development Director finds evidence that conditions of approval for the 300 Reading Street Conditional Use Permit have not been fulfilled or that the use has resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or has a substantial adverse impact on public facilities or services, the Director will refer the use permit to the Historic District Commission for review. If, upon such review, the Historic District Commission finds that any of the above-stated results have occurred, the Commission may modify or revoke the Conditional Use Permit.</p>	OG	CD (P)
3.		<p>This Conditional Use Permit shall be deemed revoked without further action by the Historic District Commission if the operation of the facility in the manner described in the Conditional Use Permit ceases for any consecutive period of six (6) months.</p>	OG	CD

4.		<p>The owner/applicant shall defend, indemnify, and hold harmless the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul any approval by the City or any of its agencies, departments, commissions, agents, officers, employees, or legislative body concerning the project. The City will promptly notify the owner/applicant of any such claim, action or proceeding, and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action or proceeding if both of the following occur:</p> <ul style="list-style-type: none"> <li>• The City bears its own attorney’s fees and costs; and</li> <li>• The City defends the claim, action or proceeding in good faith</li> </ul> <p>The owner/applicant shall not be required to pay or perform any settlement of such claim, action or proceeding unless the settlement is approved by the owner/applicant.</p>	OG	CD (P)(E)(B) PW, PR, FD, PD
<b>DEVELOPMENT COSTS AND FEE REQUIREMENTS</b>				
5.		The owner/applicant shall pay all applicable taxes, fees and charges at the rate and amount in effect at the time such taxes, fees and charges become due and payable.	B	CD (P)(E)
6.		The City, at its sole discretion, may utilize the services of outside legal counsel to assist in the implementation of this project, including, but not limited to, drafting, reviewing and/or revising agreements and/or other documentation for the project. If the City utilizes the services of such outside legal counsel, the applicant shall reimburse the City for all outside legal fees and costs incurred by the City for such services. The applicant may be required, at the sole discretion of the City Attorney, to submit a deposit to the City for these services prior to initiation of the services. The applicant shall be responsible for reimbursement to the City for the services regardless of whether a deposit is required.	B	CD (P)(E)
7.		This project approval shall remain in effect for one year until March 17, 2022. If a Conditional Use Permit is not vested within the identified time frame prior to the expiration date and the applicant has not demonstrated substantial progress towards the development of the project, this approval shall be considered null and void. The owner/applicant may file an application with the Community Development Department for a permit extension not less than 30 days prior to the expiration date of the permit, along with appropriate fees and necessary submittal materials pursuant to Chapter 17.60 of the <u>Folsom Municipal Code</u> .	B	CD (P, B)

**CONDITIONAL USE PERMIT REQUIREMENTS**

9.		Any intensification or expansion of the use approved and conditioned herein will require a Use Permit modification approval by the Historic District Commission.	B, OG	FD NS (B)
10.		The owner/applicant shall provide evidence that they have filed a Certificate of Registration with the Sacramento County Environmental Management Department for each individual tattoo artist working at 300 Reading Street prior to approval of each tattoo artist’s business certificate.	B, OG	CD (P)
11.		The owner/applicant shall comply with all requirements of California Health & Safety Code sections 119300, et seq. (“Safe Body Art Act”) including but not limited to: registering annually with the local enforcement agency, complying with vaccination, blood borne pathogen training, conforming to sanitation requirements, and obtaining and annually renewing a health permit.	OG	CD (P)
12.		Entertainment (as defined in Section 5.90 of the <u>Folsom Municipal Code</u> ) and outdoor activity of any kind at 300 Reading Street shall be prohibited. Occasional outdoor events may be requested via the Special Event Permit process, subject to staff approval.	OG	CD (P)
13.		Signage for the site shall comply with the <u>Folsom Municipal Code</u> Chapter 17.59 as modified by Chapter 17.52 and the Historic District Design and Development Guidelines.	OG	CD (P, B)
14.		Compliance with the City of Folsom’s Noise Control Ordinance ( <u>Folsom Municipal Code</u> Chapter 8.42) and General Plan Noise Element shall be required.	OG	CD (P)

RESPONSIBLE DEPARTMENT		WHEN REQUIRED	
CD (P) (E) (B) (F)	Community Development Department Planning Division Engineering Division Building Division Fire Division	I	Prior to approval of Improvement Plans
		M	Prior to approval of Final Map
		B	Prior to issuance of first Building Permit
		O	Prior to approval of Occupancy Permit
		G	Prior to issuance of Grading Permit
PW	Public Works Department	DC	During construction
PR	Park and Recreation Department	OG	On-going requirement
PD	Police Department		



## **Attachment 4 Vicinity Map**

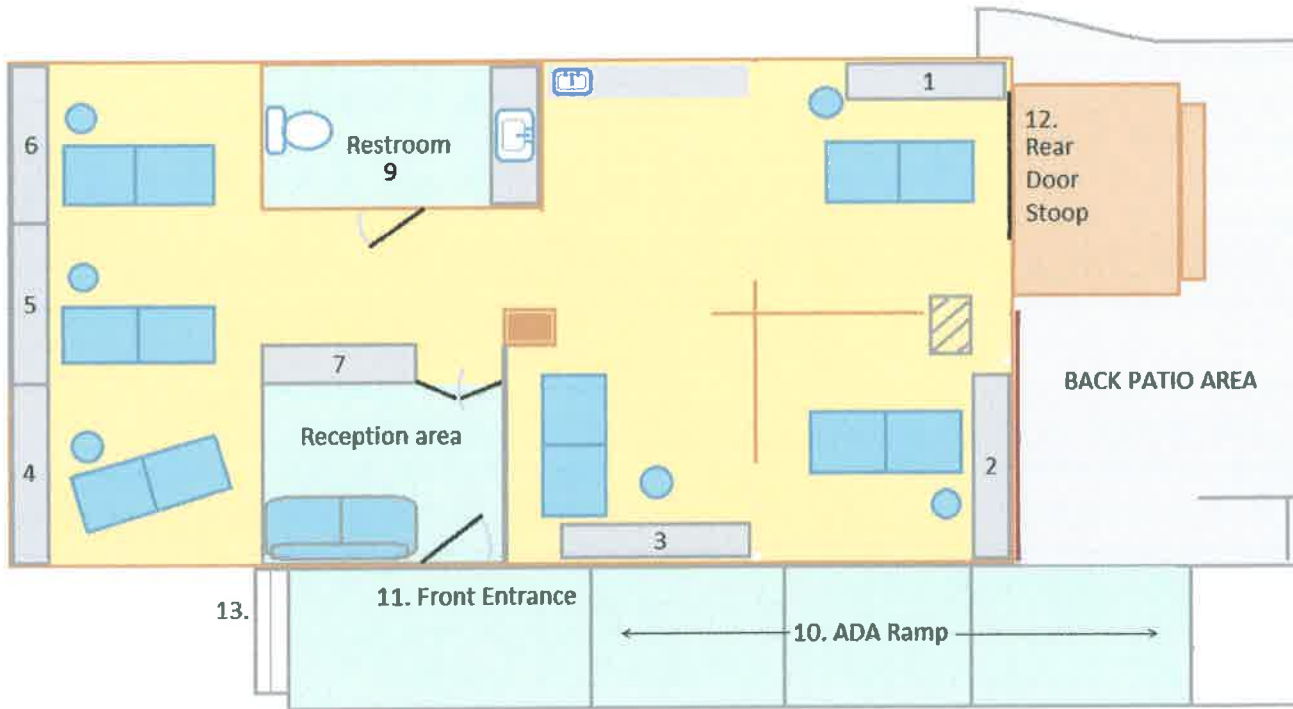


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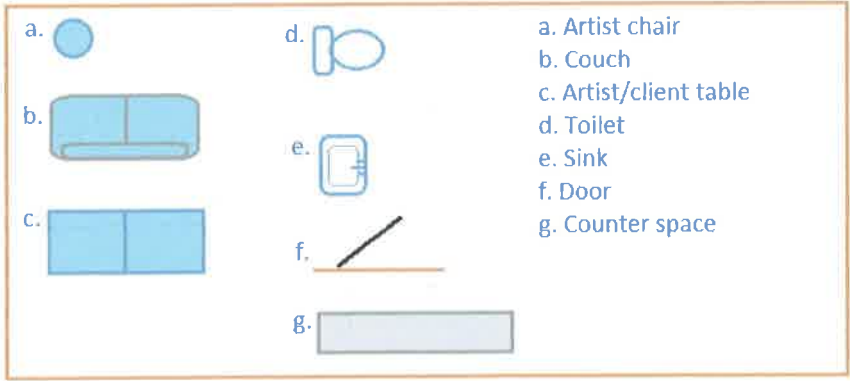
**ATTACHMENT 5**  
**Proposed Site Plan and Floor Plans,**  
**Received 2-11-21**

# FUTURE - FOLSOM CITY INK

## 300 READING ST



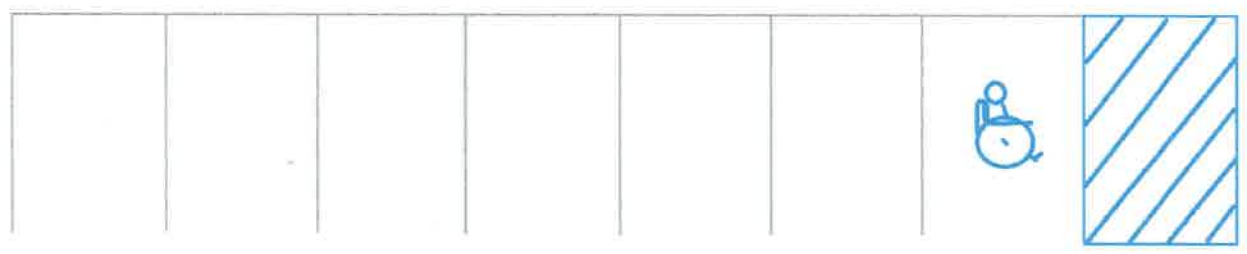
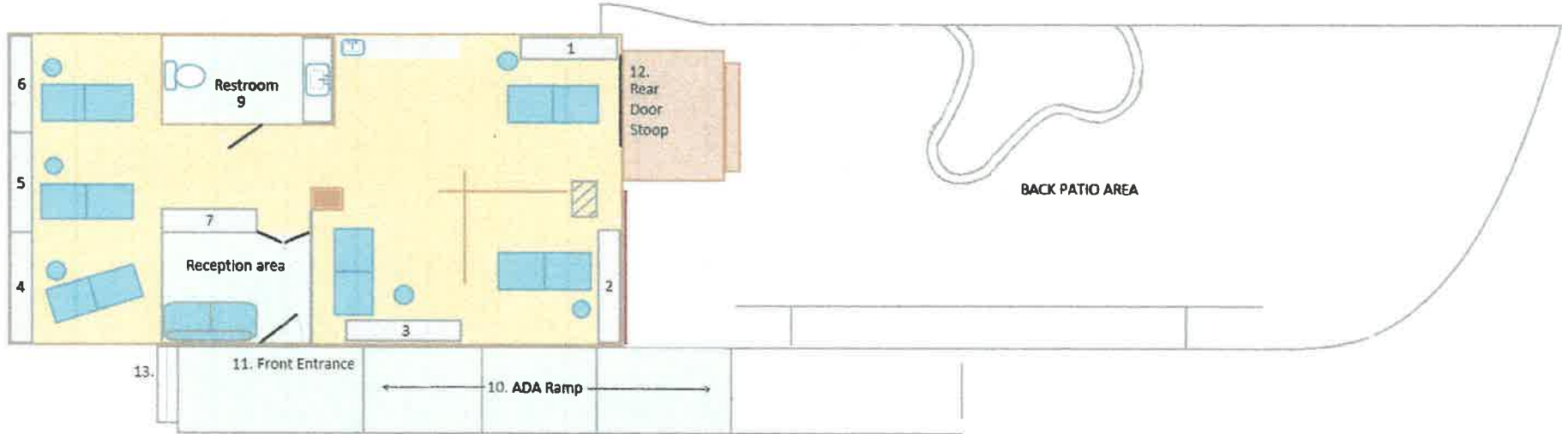
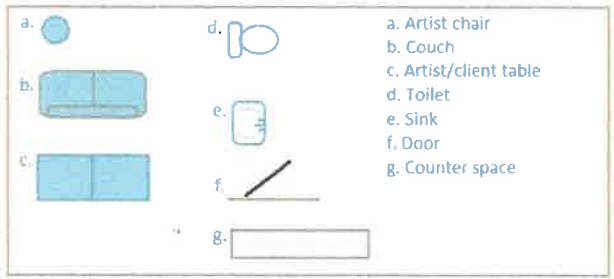
- 1. Procedure area
- 2. Procedure area
- 3. Procedure area
- 5. Procedure area
- 6. Procedure area
- 7. Front counter
- 8. Sterilization room
- 9. Restroom
- 10. ADA Ramp
- 11. Front Entrance
- 12. Rear Door Stoop
- 13. Steps



# FUTURE - FOLSOM CITY INK

## 300 READING ST

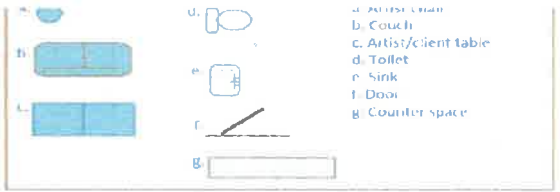
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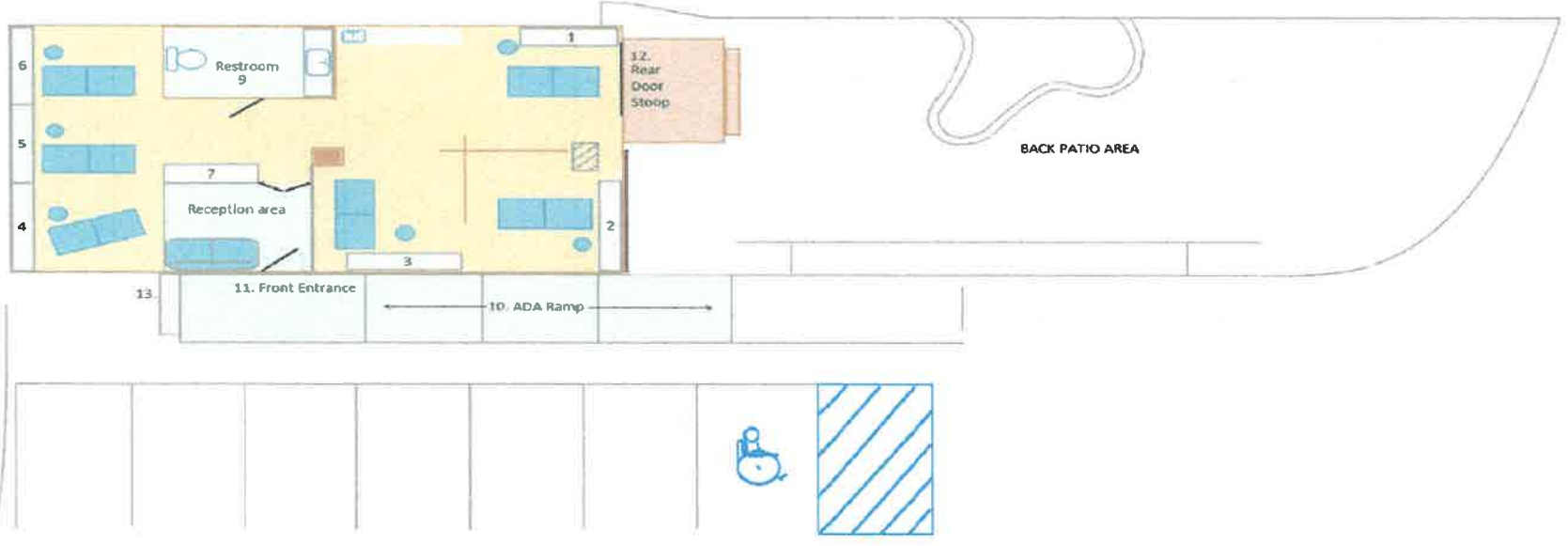
**FUTURE - FOLSOM CITY INK**

**300 READING ST**

- 1. Procedure area
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READING ST



LIGHT RAIL

FOLSOM BLVD

← SUTTER ST

FROM

## **Attachment 6 Applicant's Narrative**

**FOLSOM CITY INK**

To Whom It May Concern.

Folsom City Ink is a fully licensed Tattoo Shop. We are the very first Tattoo shop approved to operate ever in the city of Folsom and have been successfully operating in the city of Folsom for 21 years at 97 Natoma St. Suite B Folsom CA 95630 and heading forward with our business to 300 Reading street in the Historic district of Folsom.

We are proud to say, our business has had zero public issue or complaint from our opening in 2000 to our current date in 2021. We have always put forth our best efforts to be an upstanding member of this community with commitments such as donating to Folsom Police Department, Fire Department, Folsom Bulldogs Teams and donating to the local food bank with gift certificates and food, even painting faces at the original groundbreaking for Folsom's Steve Miklos Aquatic Center, assisting in city and community ideas of designing logos for the city's tree dept. We are and have been a Folsom Chamber member since Jan of 2000.

Folsom City Ink is a traditional and up to date Tattoo Shop. Open throughout the week between 10am and 10pm, with our staff of six trained & licensed professionals, we are operating with the absolute definition of health and safety for our clients through our industry's standards and knowledge, with precision tools and ethics. We have assisted Sacramento County's EMD (health dept) in their early days of trying to understand our industry, for the betterment of small businesses in California. We have and will continue to operate in a sterile environment, with the utmost of cleanliness, proper procedure and with the courtesy of genuine customer service as we have done for 21 years. Folsom City Ink has brought numerous clients internationally and across the USA here to Folsom to enjoy our city's sights, restaurants and hotels, during their visits and appointments at Folsom City Ink. It is truly great to note that through our dedication to the public and our public's dedication to us, we have continued to win the BEST OF BEST award of the Folsom/Eldorado Hill's Telegraph year after year.

Thank you for your attention and considerations,

William E Henderson

02/04/2021



Folsom City Ink 97 Natoma street, Folsom Ca 95630

916-355-8008

[www.folsomcityinktattoos.com](http://www.folsomcityinktattoos.com)



## **Attachment 7**

# **Photograph of the Project Site**



## **Attachment 8**

### **Comment Letters from Laurette Laurent**

From: [LJ Laurent](#)  
To: [Rosario Rodriguez](#); [Sarah Aquino](#); [Mike Krdowski](#); [Lydia Konopka](#); [Steven Wang](#)  
Cc: [The HFRA](#); [Pam Johns](#); [Josh Kinkade](#); [Rick Hillman](#); [Ken Cusano](#)  
Subject: PRA Req. Disposal Ordinances. COMPLAINT Land Usage Laws, PN 21-026  
Date: Monday, March 8, 2021 2:14:37 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: Folsom Mayor, Vice Mayor, Licensed Counselors,  
"Plan staff"  
bcc Enforcement  
From: Laurette Laurent  
March 7, 2021

Re: **PN 21 026**, APN 070 0094 012 0000  
**"Tattoo business" at 300 Reading St.**  
Adjacent to lite rail station/old district homes

Summary: Not only is this NOT proper for reasons cited, it would create a terrible and DESTRUCTIVE impact on the lovely old residential HOMES ABUTTING IT.

If this is allowed to continue by Folsom city attorneys, be assured, the ENTIRE email with OBJECTIONS will be forwarded to Licensing Authorities.

You cannot continue to destroy peoples' Home Values, Quality of Life, SAFETY, and the inevitable "creeping" of this very harmful, very improper action.

It is very disturbing to constantly find Folsom laws altered online.

There are NO Ordinances in FMC DISPOSITION of ORDINANCES covering all these radical changes.

**This is PUBLIC RECORDS ACT REQUEST to City Clerk for FULL, Complete, and entire Compendium with EXPLANATIONS -- of the Folsom city Ordinances enacted during period 2000 to present date.**

**10 dates for Response in FULL, with words stating where each LAW is found. "Uncodified Ordinances" MUST INCLUDE the specific COURT CASE decisions.**

If city clerk cannot comply, CONTINUANCE is obviously required.

This is TOO IMPORTANT for ALL poor city residents impacted by the HD "zone district" fictions.

Hearing before HDC March 17 **for granting of CUP conditional use permit**

1. **Plan director got current Zone District wrong, see below.** There is **no such Zone District** as "HD Sutter St. subarea of Commercial Primary Area" - caps are hers. No Zone District exists in FMC chapter 17 of defined Zone Districts bearing the Name Historic District Zone. Historic District is an OVERLAY of ADDITIONAL REQUIREMENTS, NOT a License to ignore the basic Zone Districts and Zoning Laws.

2. **"HDC will take final action".** That group has **ZERO LEGAL RIGHT to "take final action."** See below California Government Codes which state emphatically, that if there is more than one Plan Commission, BOTH are TOTALLY responsible to elected Council, which, alone, has LEGISLATIVE POWERS to alter laws.

65101. (a) The legislative body may create one or more planning commissions each of which shall report directly to the legislative body.....

**ARTICLE 2. Adoption of Regulations [65850 - 65863.13]**

**65850.** The legislative body of any county or city may, pursuant to this chapter, adopt ordinances that do any of the following....

f. Create civic districts around civic centers, public parks, public buildings, or public grounds, and **establish regulations for those civic districts.**

FYI Planners, **Regulations INCLUDES BULK STANDARDS, PARKING, YARDS, STREET SIZE, and of course, city table showing Tattoo business is ONLY PERMITTED IN Heavy Commercial Zones, ie. C2 C3.**

Nothing in CA Govt Code, land usage, states a city may establish TWO or more Plan Commissions **that operate WITHOUT Council "establish regulations for those districts."** Zoning is a **POLICE POWER**, and defined Standards, Regulations, Processes, etc. are essential for proper exercise of said powers.

HD is an **OVERLAY**, NOT a Zone District. It does NOT have a council-legislated SET of regulations for the HD "subareas, major areas, or "hd" itself. In fact, I will swear under Oath that NO Public Notice was given for AMENDING Folsom Muni Code Chapter 17, to add the words "historic commission". That is NOT a Change to Law which would escape my attention, nor that of residents.

Section 2 EXAMPLE: **Roseville CA Conditional Use Permit Application: Roseville has an Older area OVERLAY District, but it has nothing to do with a city Conditional Use Permit.**

Folsom does NOT have a set of Standards, Rules, Regulations for considering "historic district" as a separate, Exception-granting, or CUP granting by an aesthetic group which is not the Plan Commission.

Roseville, CA Application Checklist CONDITIONAL USE PERMIT (CUP)/ MODIFICATION (CUP MOD)

Development Services Planning Division Process: **A request for a Conditional Use Permit requires one (1) public hearing before the Planning Commission.** Processing time is normally twelve (12) weeks. ...

Forms • Property Owner Affidavit (if submitting online)

• Electronic Signature Disclosure (if submitting online)

• Agreement for Full Cost Billing

**Project plan set should include: ...**

**Site Plan sheet(s) (for CUP Modification,**

show both approved plan and proposed modification on site plan and

provide a **detailed description** of the proposed modification)

Documents (upload these items as "Documents" in OPS)

• **Detailed Description of Proposed Use Fees--**

• **Application fee • Radius list fee**

• **3% Technology fee**

• **Environmental review**

**Process: A request for a Conditional Use Permit requires one (1) public hearing before the Planning Commission**

[https://www.roseville.ca.us/UserFiles/Servers/Server\\_7964838/File/Government/Departments/Development%20Services/Planning/AFH/Checklists/cupapp.pdf](https://www.roseville.ca.us/UserFiles/Servers/Server_7964838/File/Government/Departments/Development%20Services/Planning/AFH/Checklists/cupapp.pdf)

Sacramento County Recorder official Records.

Nothing like finding a "tattoo business" at your Lot Line, is there?

**SACRAMENTO COUNTY** Assessor Parcel Viewer

070-0094-012-0000

Parcel Details Layers Measure Search Results Select Parcels Recent Sales Legend Help

Information for Parcel: 070-0094-012-0000  
Read Our Data Disclaimer

**PROPERTY INFORMATION**

Assessor Parcel # 07000940120000  
Address 300 READING ST  
Postal City, Zip FOLSOM 95630  
Jurisdiction City of Folsom  
County Supervisor Sue Frost - District 4  
District  
Assessor Roll Status ACTIVE  
Assessor's Map Assessor's Map Book 070, Page 009

**PROPERTY TAX BILL**

A summary of the most recent property tax bill is available on the e-PropTax site.

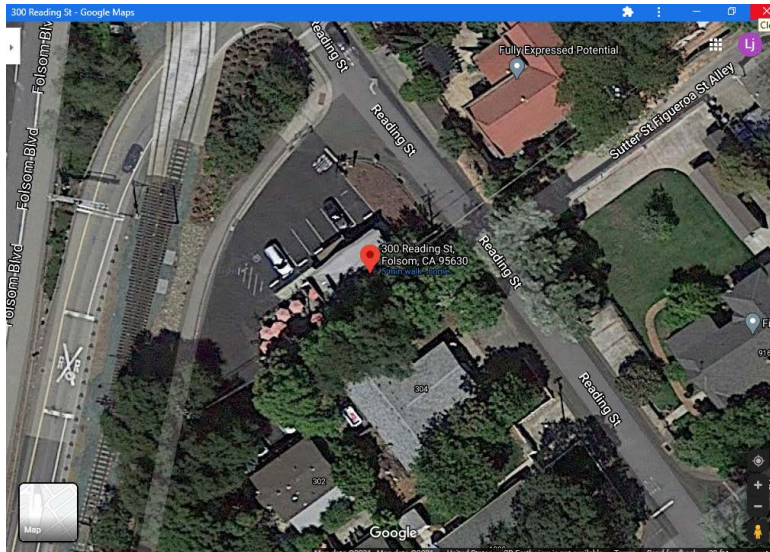
Tax Rate Area Code 04-018  
Jurisdiction Used on Most Recent Tax Roll FOLSOM  
Last Roll Year 2020

**ASSESSOR'S ROLL VALUES**

5473 sq ft / 0.13 acres

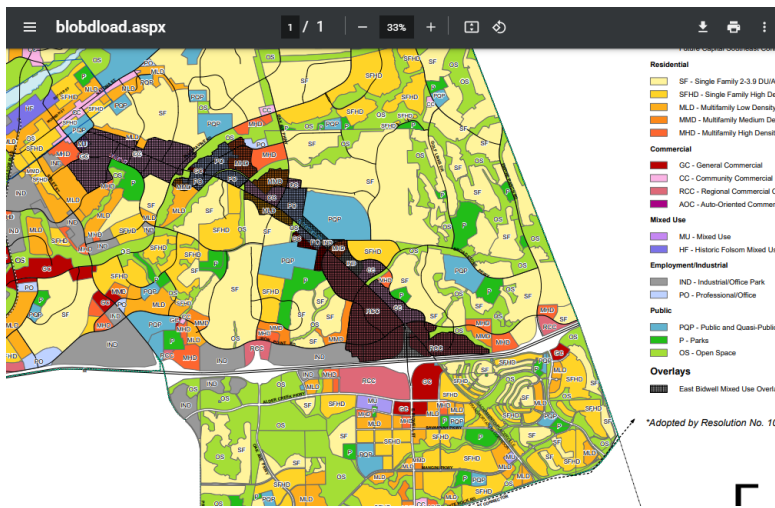
**ZONING**

Zoning: C-2 (PD) - CENTRAL BUSINESS/PLANNED DEVELOPMENT



3. **ERROR:** Comm. Dev. Director got GENERAL PLAN zone WRONG; it is NOT Zoned "HD Sutter St. Subarea. Clearly General Plan shows Parcel as Mixed Use [Residential- Commercial] in historic area

2018 General Plan zone is "MU" i.e. Residential/Commercial in historic area -- i.e. extremely narrow streets area.



<https://www.codepublishing.com/CA/Folsom/#1/html/Folsom17/Folsom1722.html>

Below is from Folsom Muni Code Chapter 17, showing tattoos are not allowed in certain districts. ALLOWED SOLELY in C2 and C3 -- "Heavy Commercial" districts. WIDE STREETS ARE MANDATORY IN C2 and C3.

Use, service or facility

229	Tattoo establishment/body art	N	1	1	N
-----	-------------------------------	---	---	---	---

See also image below

3. subsection: **ERROR:** Plan Director is WRONG: Operation of a "tattoo parlor" in "existing 800 square foot commercial building 300 Reading St. is IS NOT ALLOWED in "MU, HD" which is Mixed Use Residential/Commercial in historic area of Folsom. DEFINED Usages are below:

Folsom Municipal Code Title 17 ZONING Ch. 17.22 COMMERCIAL LAND USE ZONES Help Text Size: -A +A

Clear

Searching for: Ord. 1169 § 4, 2012

< Prev Items 1 - 2 of 2 Next >

Chapter 17.22 COMMERCIAL LAND USE ZONES (32 hits)

Chapter 17.60 USE PERMITS (15 hits)

**Contents**

Click the **plus (+)** or **minus (-)** symbols to expand or collapse the entries. Click the **checkboxes** to select sections for saving or printing.

Print/Save Selections

		32 hits			
	Use, service or facility	First Hit	Prev Hit	Next Hit	Prev Doc
		Clear Search			
		Zone			
		C-1	C-2	C-3	BP
221	Stationery store	✓	✓	✓	N
222	Stenographic service	✓	✓	✓	✓
223	Studio—dance, voice, music	✓	✓	✓	1
224	Studio—radio, television, recording	1	✓	✓	1
225	Supermarket/food store	8	✓	✓	N
226	Swimming pool, spa—sales and service	8	✓	✓	N
227	Tackle shop	✓	✓	✓	N
228	Tailor	✓	✓	✓	N
229	Tattoo establishment/body art	N	1	1	N
230	Taxi cab service and storage facility	N	✓	✓	N
231	Taxidermist	1	✓	✓	N

4. Plan Director is WRONG to advise "historic district comm." they have the LEGAL AUTHORITY to hear petitions, or make Decisions or Recommendations, or to legally GRANT a Conditional Use Permit for anything -- anywhere. Because, UNTIL and UNLESS Folsom City Council enacts an Ordinance to CHANGE FMC Chapter 17 Zoning, and the City Charter -- openly and PUBLICLY, this is March 7, 2021 Law.

Section Labelled PROOF city FMC was NOT changed OPENLY, with Pubic Notice, Hearings, and ORDINANCE passed by city council,

is removed. It is city attorneys and managers DUTIES to KNOW the LAWS and ADVISE COUNCIL. I have done enough of YOUR JOBS -- but I include Legal Citations and Public Records essential to such Value Changing Decisions.

PROOF of wrong is clear cut, but do your own work.

## Chapter 17.60 USE PERMITS

### Sections:

- [17.60.010 Issuance conditions.](#)
- [17.60.020 Application and fee.](#)
- [17.60.030 Public hearings.](#)
- [17.60.040 Action by planning commission.](#)
- [17.60.050 Revocation.](#)
- [17.60.060 Expiration and extension.](#)
- [17.60.070 Appeal procedure.](#)
- [17.60.080 Other provisions.](#)
- [17.60.090 Exceptions.](#)
- [17.60.100 Requirements for temporary use permits.](#)

Prior legislation: Ords. 273, 323 and 466.

#### **17.60.010 Issuance conditions.**

Use permits, which may be revocable, conditional or valid for a term period, may be issued by the planning commission, or within the historic district by the historic district commission, for any of the uses or purposes for which such permits are required or permitted by the terms of this title. Guarantees to ensure compliance with terms and conditions may be required by the commission. (Ord. 890 § 3(3), 1998; prior code § 3122.01)

#### **17.60.020 Application and fee.**

Application for a use permit shall be made to the community development department in writing, on a form prescribed by the department.

Application for a use permit shall be made to the community development department in writing, on a form prescribed by the department, and shall be accompanied by plans and elevations necessary to show details of the proposed land use activities on the subject property. The application shall be accompanied by a processing fee set by the city council for either a minor use permit or a major use permit. All use permits are minor unless otherwise designated as major under the commercial use table in Section [17.22.030\(E\)](#). (Ord. 1169 § 4, 2012; Prior code § 3122.02)

#### **17.60.030 Public hearings.**

The planning commission may hold a public hearing on any such application after having given notice as provided in the State "Planning Law." (Prior code § 3122.03)

#### **17.60.040 Action by planning commission.**

The findings of the planning commission shall be that the establishment, maintenance or operation of the use or building applied for will or will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the city. (Prior code § 3122.04)

#### **17.60.050 Revocation.**

In any case where the conditions to the granting of a use permit have not been, or are not, complied with, the planning commission shall give notice to the permittee of intention to revoke such permit at least ten days prior to a hearing thereon. Following such hearing the planning commission may revoke such permit. (Ord. 476 Exh. A (part), 1982; prior code § 3122.05)

#### **17.60.060 Expiration and extension.**

A. In any case where the use permit has not been exercised within the time limit set by the planning commission or within one year if no specific time limit has been set, then without further action the permit shall be null and void. The permit is deemed exercised upon issuance of a building permit or actual use of the site for the permitted use if no building permit is required.

B. The planning commission may extend the use permit for a period or periods not to exceed twelve months upon receipt of a written request accompanied by a fee, as may be established by resolution of the city council, and other information as deemed necessary by the planning director.

C. 1. A use permit, or any portion thereof, shall be deemed to have been abandoned and therefore expired and terminated if the use

#### **NOTE THIS page cites CA GOVT CODE, and County recorder**

of a building permit or actual use of the site for the permitted use if no building permit is required.

B. The planning commission may extend the use permit for a period or periods not to exceed twelve months upon receipt of a written request accompanied by a fee, as may be established by resolution of the city council, and other information as deemed necessary by the planning director.

C. 1. A use permit, or any portion thereof, shall be deemed to have been abandoned and therefore expired and terminated if the use granted in the permit is discontinued for a period of twelve consecutive months or longer. For purposes of this section, a use is discontinued if the activity or activities permitted under the use permit have ceased on the premises.

2. Whenever the city determines that the use permitted under a lawfully issued use permit has been discontinued, the city shall provide the use permit holder and the owner of the property on which the use is located with a notice that the use has been discontinued and the date on which the city has determined that such use is, or will be, deemed abandoned. The notice shall inform the permit holder and the property owner that they have a right to a hearing, and that if no hearing is requested within fifteen calendar days of the notice, the use permit, or any portion thereof, will terminate due to abandonment. Notice shall be provided by first class mail at the property address where the use was conducted, the last known address for the holder of the use permit, and to the property owner of record as shown on the last equalized assessment roll.

3. Failure to submit a timely hearing request to the director of community development department shall constitute a waiver of any hearing on the determination that the use has been abandoned, and the termination of the use permit, or any portion thereof, shall be final and not appealable. The hearing request shall set forth the reasons and good cause as to why the use permit should not be deemed abandoned and terminated.

4. Upon receipt of a hearing request, the matter shall be placed on the earliest available planning commission meeting agenda unless withdrawn by the individual making the request. The use permit shall not terminate during pendency of the hearing. Notice of the hearing shall be given to the permit holder, the property owner (if the permit holder is not the property owner), and to all property owners within three hundred feet of the subject property as shown on the last equalized assessment roll, and to any other persons who have filed a written request for notice, with such notices mailed at least ten days prior to the hearing. Instead of using the equalized assessment roll, records of the county assessor or tax collector may be used if those records contain more recent information than the information contained on the equalized assessment roll as authorized by Government Code Section [65091](#).

assessment roll, records of the county assessor or tax collector may be used if those records contain more recent information than the information contained on the equalized assessment roll as authorized by Government Code Section [65091](#).

5. The planning commission shall determine, based on oral and written evidence presented at the hearing, whether the use permitted under a use permit has been discontinued or whether such use has remained active during the time period provided in this section.
6. If the planning commission finds that the use permitted under a use permit has been discontinued, the use permit shall terminate upon conclusion of the hearing notwithstanding any attempt to revive the discontinued use during the pendency of the hearing.
7. The commission may, in its discretion upon a showing of substantial good cause, reinstate a use permit terminated under this section if both of the following conditions are met and may impose reasonable conditions for reuse of the premises:
  - a. Discontinuance of the use was unrelated to the permittee's financial inability to continue with such use (e.g., change of ownership in the permitted business or property, remodel/reconstruction activities, natural disaster, and circumstances beyond the permittee's control), and
  - b. Good faith efforts were made by the permittee or the property owner in furtherance of continuing the permitted use during the time period leading to the termination of the use permit. (Ord. 1168 § 2, 2012; Ord. 476 Exh. A (part), 1982)

**17.60.070 Appeal procedure.**

Any person dissatisfied with any action of the planning commission on a request for a use permit may appeal therefrom to the city council, at any time within ten days after the rendition of the decision of the planning commission. The appeal is taken by filing a notice of appeal with the planning director. Upon filing of the notice of appeal, and payment of a filing fee, the planning director must, within ten days, transmit to the city clerk all exhibits and documents on file, together with the finding of the planning commission.

The city council shall hold a hearing upon said appeal after giving written notice to the applicant, property owners within three hundred feet of the subject property as shown on the last equalized assessment roll and to any other persons who have filed a written request for notice. Such notices shall be mailed at least ten days prior to said hearing. (Ord. 476 Exh. A (part), 1982)

**17.60.080 Other provisions.**

- A. No official action such as the issuance of a building permit, license or other type of permit shall be taken while an appeal or proceeding

**17.60.080 Other provisions.**

- A. No official action such as the issuance of a building permit, license or other type of permit shall be taken while an appeal or proceeding for a use permit is pending.
- B. In the event that an application for a use permit is denied by the planning commission or, if there is an appeal, by the city council, no application for the same or similar use shall be filed for a period of one year from the date of the last denial. (Ord. 476 Exh. A (part), 1982)

**17.60.090 Exceptions.**

- A. Notwithstanding any other provisions of this chapter, no use permit for surface mining and reclamation activities shall be approved by the city except by an affirmative vote of two-thirds of the qualified electors of the city.
- B. No amendment to this section shall be made, except by an affirmative vote of two-thirds of the qualified electors of the city. (Ord. 613 § 1, 1988)

**17.60.100 Requirements for temporary use permits.**

In order to assure the protection of the health, safety, and welfare of the citizens of the city, while still providing for their pleasure and convenience, the planning, inspections and permitting department director may issue a permit for the establishment of temporary uses within the city in accordance with the following procedure and conditions; however, at the director's discretion or at the request of the planning commission, the director may refer any application for a temporary use or structure to the planning commission for consideration:

- A. Prior to the establishment of any temporary use on any lot or parcel in the city, a temporary use permit shall be obtained from the planning, inspections and permitting department. Such permit may be issued for a specified period of time after the date of issue for any use which is deemed by the planning, inspections and permitting director to be of a temporary nature upon making the following findings:
  1. That the temporary use will not be detrimental to the zoning district in which it is proposed to be located, and
  2. That the temporary use will not be detrimental to adjoining properties through the creation of excessive dust, noise, light, odor, or other objectionable characteristics.
    - a. Temporary uses for which permits may be granted include, but are not limited to, carnivals, circuses, religious revivals, Christmas tree lots, pumpkin patches, promotions and sales in trucks or trailers, animal shows or displays, and food stands, and



a. Temporary uses for which permits may be granted include, but are not limited to, carnivals, circuses, religious revivals, Christmas tree lots, pumpkin patches, promotions and sales in trucks or trailers, animal shows or displays, and food stands, and other uses of a similar nature as determined by the planning, inspections and permitting director. Except as modified herein, temporary uses shall be limited to durations not to exceed thirty consecutive calendar days, and shall not exceed thirty total days within any three-month period. Notwithstanding any other provision of this chapter, and subject to fire prevention and/or other applicable regulations and laws, outdoor retail sales of Christmas trees (but not including any other merchandise), and the preparation of a site in any manner for such sales, may be permitted on a seasonal basis, beginning November 15th and extending through December 31st, in any zoning district if a permit has been obtained. The site shall be returned to its original condition by January 5th.

In addition, the planning, inspections and permitting director shall have the authority and duty to impose conditions on the issuance of any such permit which the director deems necessary to protect the public interest or the rights of adjacent surrounding users to be free of objectionable interferences or undue detriment to existing uses.

B. Temporary uses conducted entirely within a structure that is occupied by an existing business or organization shall be exempt from the provisions of this section.

C. Ingress and egress shall be limited to those areas designated by the planning, inspections and permitting department. Appropriate directional signs, barricades, fences, or landscaping shall be provided when required. A security officer may be required for promotional events.

D. Off-street parking facilities shall be provided on the site of each temporary use in accordance with the provisions of the Folsom Municipal Code.

E. Upon the termination of the temporary use permit or the abandonment of the site, the applicant shall remove all materials and equipment and restore the premises to its original condition.

F. The opening and closing time for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the planning, inspections and permitting director.

G. Applications for temporary use permits shall be made to the planning, inspections and permitting department and shall be accompanied

Look, standards, including DISTANCE from ANY residential Zone.

F. The opening and closing time for promotional enterprises shall coincide with the hours of operation of the sponsoring commercial establishment. Reasonable time limits for other uses may be set by the planning, inspections and permitting director.

G. Applications for temporary use permits shall be made to the planning, inspections and permitting department and shall be accompanied by the following:

1. Five copies of a dimensional plot plan showing the following:

- a. The subject property with the property lines and abutting properties;
- b. The location of the temporary use related to the subject and adjoining properties;
- c. The parking, driveways, and loading areas; and
- d. The vehicular ingress and egress locations; and

2. One copy of the dimensioned elevations of any structure proposed for location.

a. The planning, inspections and permitting director shall have the authority to approve or disapprove the application, or to approve it subject to compliance with such conditions as may be deemed necessary to carry out the purposes of this chapter and to meet the requirements listed in subsection A of this section. The planning, inspections and permitting director shall refuse issuance of any such permit where it is found, as a result of investigation, that the proposed activity will, at the particular location involved, constitute an undue detriment to the public interest or to adjacent or surrounding properties or will unreasonably interfere with existing adjacent or surrounding uses. In making determinations on applications for permits in residential zones, the planning, inspections and permitting director shall issue no permit unless the proposed site meets each of the following criteria:

- i. The site has direct access onto an arterial roadway.
- ii. The site is at least one hundred feet from any single-family residence in an R-district.
- iii. The site can be used without causing dangerous congestion on adjacent roadways.

- a. The planning, inspections and permitting director shall have the authority to approve or disapprove the application, or to approve it subject to compliance with such conditions as may be deemed necessary to carry out the purposes of this chapter and to meet the requirements listed in subsection A of this section. The planning, inspections and permitting director shall refuse issuance of any such permit where it is found, as a result of investigation, that the proposed activity will, at the particular location involved, constitute an undue detriment to the public interest or to adjacent or surrounding properties or will unreasonably interfere with existing adjacent or surrounding uses. In making determinations on applications for permits in residential zones, the planning, inspections and permitting director shall issue no permit unless the proposed site meets each of the following criteria.
  - i. The site has direct access onto an arterial roadway.
  - ii. The site is at least one hundred feet from any single-family residence in an R-district.
  - iii. The site can be used without causing dangerous congestion on adjacent roadways.

H. If the applicant for a temporary use permit, or any other person, is dissatisfied with any determination made by the planning, inspections and permitting director, such person may appeal to the planning commission. Any such appeal shall be in writing, shall state the specific reasons therefor and grounds asserted for relief, and shall be filed with the planning, inspections and permitting director not later than ten calendar days after the date of the action being appealed. If the appeal is not filed within the time or in the manner prescribed above, the right to review of the action against which the complaint is made shall be deemed to have been waived. (Ord. 887 § 2 Exh. B, 1998)

Home < >

The Folsom Municipal Code is current through Ordinance 1309, passed October 27, 2020.

Disclaimer: The City Clerk's office has the official version of the Folsom Municipal Code. Users should contact the City Clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://www.folsom.ca.us>  
 City Telephone: (916) 355-7270

**17.60.040 Action by planning commission.**  
 The findings of the planning commission shall be that the establishment, maintenance or operation of the use or building applied for will or will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood, or to the general welfare of the city. (Prior code § 3122.04)

**17.60.060 B.** The planning commission may extend the use permit for a period or periods not to exceed twelve months upon receipt of a written request accompanied by a fee, as may be established by resolution of the city council, and other information as deemed necessary by the planning director.

**5. GRAVE PROBLEM:**

Folsom Municipal Code does NOT RECOGNIZE, nor create, nor ESTABLISH Definite STANDARDS for "Historic District," no matter which term, name, or color code the city uses.

Folsom uses and reports Land Usage Zones to County Recorder as if HD is a REAL ZONE DISTRICT, which it is NOT. Folsom, according to Sacramento County Recorder online records, appears to be "Deficient" in complying with its own and higher Laws.

California still has on the books a provision that a city/county may have more than one "Plan Commission". However, [https://leginfo.ca.gov/faces/codes\\_displayText.xhtml?lawCode=GOV&division=1.&title=7.&part=&chapter=3.&article=1](https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=1.&title=7.&part=&chapter=3.&article=1), states plainly, that if more than ONE Plan Commission is created in accordance with all State Laws governing Land Usage Decisions, **BOTH of these commissions Report directly to the law-makers -- i.e. elected City Council members.**

Governor's Office of Planning [https://opr.ca.gov/docs/theconditionalusepermit\\_071997.pdf](https://opr.ca.gov/docs/theconditionalusepermit_071997.pdf)  
 Constitutional Authority: Local governments have the authority to enact local planning and land use regulations to protect the public health, safety, and welfare of their residents through their police power. The "police power" provides the right to adopt and enforce zoning regulations, as long as they do not conflict with state laws. The police power is the basis for charter city zoning powers. (California Constitution, Article XI, Section 7) Statutory Authority: California code reiterates the Constitutional police powers of cities and counties to enact zoning regulations, but has little to say about CUPs in particular. "The legislative body of any county or city may, pursuant to this chapter, adopt ordinances that do any of the following: "Regulate the use of buildings, structures, and land as between industry, business, residences, open space, including agriculture, recreation, enjoyment of scenic beauty, use of natural resources, and other purposes ...." (Section 65850(a)) ("The board of zoning adjustment shall hear and decide applications for conditional uses or other permits when the zoning ordinance provides therefor and establishes criteria for determining those matters ...")

California case law has established a number of fundamental principles relating to conditional use permits. In addition to the basic uses permitted within a zoning district, a city or county zoning ordinance can provide other specified uses which may be permitted after consideration and resolution by an administrative agency that the proposed use is in the best interest of public convenience and necessity and will not be contrary to the public health, morals, or welfare (Upton v. Gray (1969) 269 Cal.App.2d 352).

6. Application for Conditional Use Permit in an area for which there ARE NOT DEFINED Underlying Zone Districts, and NO FMC law was legislated to permit such "at will" changes by the formerly "aesthetics only" group.

**I challenge Folsom City Council members to get a LEGAL OPINION prior to permitting an HD Commission to grant a Permit, Conditional Use Permit, which greatly impacts abutting HOMES, the Principles of Police Powers, and all of the oldest, worst infrastructure part of this city.**

California Government Code:

**65101. (a) The legislative body may create one or more planning commissions each of which shall report directly to the legislative body.**

**Chapter 17.60  
 USE PERMITS**

Sections:

- [17.60.010 Issuance conditions.](#)
- [17.60.020 Application and fee.](#)
- [17.60.030 Public hearings.](#)
- [17.60.040 Action by planning commission.](#)
- [17.60.050 Revocation.](#)
- [17.60.060 Expiration and extension.](#)
- [17.60.070 Appeal procedure.](#)
- [17.60.080 Other provisions.](#)
- [17.60.090 Exceptions.](#)

Folsom Municipal Code

Prior legislation: Ords. 273, 323 and 466.

### 17.60.010 Issuance conditions.

Use permits, which may be revocable, conditional or valid for a term period, may be issued by the planning commission, or within the historic district by the historic district commission, for any of the uses or purposes for which such permits are required or permitted by the terms of this title. Guarantees to ensure compliance with terms and conditions may be required by the commission. (Ord. 890 § 3(3), 1998: prior code § 3122.01)

bold words are not shown in direct photographic images of this section done in recent past.

Constitutional Authority: Local governments have the authority to enact local planning and land use regulations to protect the public health, safety, and welfare of their residents through their police power. The "police power" provides the right to adopt and enforce zoning regulations, as long as they do not conflict with state laws. The police power is the basis for charter city zoning powers. (California Constitution, Article XI, Section 7) Statutory Authority: California code reiterates the Constitutional police powers of cities and counties to enact zoning regulations, but has little to say about CUPs in particular. "The legislative body of any county or city may, pursuant to this chapter, adopt ordinances that do any of the following: "Regulate the use of buildings, structures, and land as between industry, business, residences, open space, including agriculture, recreation, enjoyment of scenic beauty, use of natural resources, and other purposes ...." (Section 65850(a)) ("The board of zoning adjustment or zoning administrator shall hear and decide applications for conditional uses or other permits when the zoning ordinance provides therefor and establishes criteria for determining those matters ...")

## GOVERNMENT CODE - GOV

**TITLE 7. PLANNING AND LAND USE [65000 - 66499.58]** ( *Heading of Title 7 amended by Stats. 1974, Ch. 1536. )*

**DIVISION 1. PLANNING AND ZONING [65000 - 66301]** ( *Heading of Division 1 added by Stats. 1974, Ch. 1536. )*

**CHAPTER 3. Local Planning [65100 - 65763]** ( *Chapter 3 repealed and added by Stats. 1965, Ch. 1880. )*

**ARTICLE 1. Local Planning [65100 - 65107]** ( *Article 1 repealed and added by Stats. 1984, Ch. 690, Sec. 2. )*

**65100.** There is in each city and county a planning agency with the powers necessary to carry out the purposes of this title. The legislative body of each city and county shall by ordinance assign the functions of the planning agency to a planning department, one or more planning commissions, administrative bodies or hearing officers, the legislative body itself, or any combination thereof, as it deems appropriate and necessary. In the absence of an assignment, the legislative body shall carry out all the functions of the planning agency.

(Repealed and added by Stats. 1984, Ch. 690, Sec. 2.)

**65101.** (a) The legislative body may create one or more planning commissions each of which shall report directly to the legislative body. The legislative body shall specify the membership of the commission or commissions. In any event, each planning commission shall consist of at least five members, all of whom shall act in the public interest. If it creates more than one planning commission, the legislative body shall prescribe the issues, responsibilities, or geographic jurisdiction assigned to each commission. If a development project affects the jurisdiction of more than one planning commission, the legislative body shall designate the commission which shall hear the entire development project.

ABUTTING PARCELS:  
**304 Reading St.**

Assessor's roll values can be obtained by contacting the Assessor's Office at 916-875-0700 or assessor@sacounty.net.

**LAND INFORMATION**

Thomas Brothers 261 B 5  
 Map  
 Assessor Land Use Code A2B00A  
 Assessor's Property Description NW 70 FT LOTS 15 & 16 BLK 38 FOLSOM EXC SW 11.90 FT LOT 15  
 Approx. Parcel Area 6160 sq ft / 0.14 acres

**ZONING**

Zoning: R-2 - TWO-FAMILY RESIDENCE

**OWNER INFORMATION**

California Government Code Section 6254.21 states that "No state or local agency shall post the home address or telephone number of any elected or appointed official on the internet without first obtaining the



**Assessor's Property Description** NW 70 FT LOTS 15 & 16 BLK 38 FOLSOM EXC SW 11.90 FT LOT 15  
**Approx. Parcel Area** 6160 sq ft / 0.14 acres

**ZONING**

Zoning: R-2 - TWO-FAMILY RESIDENCE

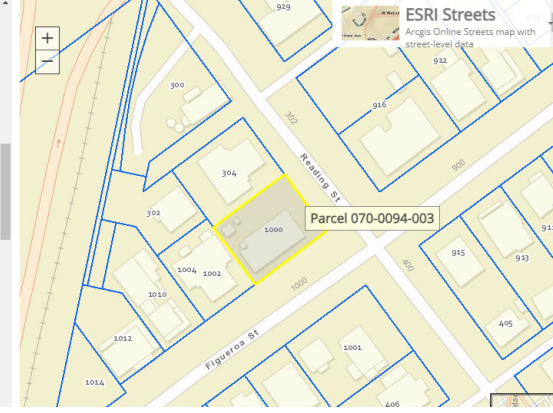
Other Exemption  
 Net Assessed Value \$545,142  
 Property tax bill information [Link to ePropTax](#)  
 Additional information regarding Assessor's roll values can be obtained by contacting the Assessor's Office at 916-875-0700 or assessor@sacounty.net.

**LAND INFORMATION**

Thomas Brothers 261 B 5  
 Map  
 Assessor Land Use Code A2B00A  
 Assessor's Property Description SE 70 FT LOTS 15 & 16 BLK 38 FOLSOM EXC SW 11.90 FT LOT 15  
 Approx. Parcel Area 6160 sq ft / 0.14 acres

**ZONING**

Zoning: R-2 - TWO-FAMILY RESIDENCE



302 Reading St. ABUTTING 2 family Home

**SACRAMENTO COUNTY Assessor Parcel Viewer**

abutting 2 family home parcel

Parcel Details Layers Measure Search Results Select Parcels Recent Sales Legend Help

**LAND INFORMATION**

Thomas Brothers 261 B 5  
 Map  
 Assessor Land Use Code A3C00A  
 Assessor's Property Description NW 59.92 FT LOTS 14 & 15 BLK 38 FOLSOM EXC NE 38 .10 FT LOT 15, ABND R/W REC 770915-847, SD ABANDONED R/W BEING CONTIGUOUS TO SD PROPERTY, CONTG 6151 SQ FT M/L.  
 Approx. Parcel Area 6151 sq ft / 0.14 acres

**ZONING**

Zoning: R-2 - TWO-FAMILY RESIDENCE

**OWNER INFORMATION**

California Government Code Section 6254.21 states that "No state or local agency shall post

**SACRAMENTO COUNTY Assessor Parcel Viewer**

abutting 2 family home parcel

Parcel Details Layers Measure Search Results Select Parcels Recent Sales Legend Help

Net Assessed Value \$450,390  
 Property tax bill [Link to ePropTax](#)  
 Additional information regarding Assessor's roll values can be obtained by contacting the Assessor's Office at 916-875-0700 or assessor@sacounty.net.

**LAND INFORMATION**

Thomas Brothers 261 B 5  
 Map  
 Assessor Land Use Code BAA00A  
 Assessor's Property Description W 10 FT LOT 7 BLK 37 FOLSOM & ALL LOT 8 BLK 37 FOLSOM  
 Approx. Parcel Area 7260 sq ft / 0.17 acres

**ZONING**

Zoning: HD - HISTORIC DISTRICT

**OWNER INFORMATION**

California Government Code Section 6254.21 states that "No

**BEST is LAST:** final abutting parcel has ZERO tax bill because it is OWNED BY CITY OF FOLSOM, despite Bernau, 985 Leidesdorff St.

Filed Map Book/Page P215017 - Parcel Map  
 Book 215, Page 17

Filed Map Name PARCEL MAP OF HISTORIC FOLSOM

Block Number

Lot Number B

Unit Number

Approx. Parcel Area 192100 sq ft / 4.41 acres

**ZONING**

Zoning: HD - HISTORIC DISTRICT

**SACRAMENTO** Assessor Parcel Viewer

abutting

Parcel Details Layers Measure Search Results Select Parcels Recent Sales Legend Help

Most Recent Tax Roll  
Last Roll Year 2020

**ASSESSOR'S ROLL VALUES**  
as of September 17, 2020

Tax Roll Year	2020
Land Value	\$0
Improvement Value	\$0
Personal Property Value	\$0
Fixtures	\$0
Homeowner's Exemption	-\$0
Other Exemption	-\$0
Net Assessed Value	\$0

Property tax bill information [Link to ePropTax information](#)

Additional information regarding Assessor's roll values can be obtained by contacting the Assessor's Office at 916-875-0700 or [assessor@sacounty.net](mailto:assessor@sacounty.net).

**LAND INFORMATION**

Thomas Brothers 261 B 5

**ABUTTING PARCEL, 4.4 acres - city land**  
According to J. Bernau in Sac Biz Journal interview, he's planning taller than allowed Residential/Commercial buildings on this "city land"  
"Granite House, with an estimated \$10 million cost, will be on the northwest corner of Sutter and Reading streets in Folsom, west of Roundhouse."

[Bernau Development moves into second phase of Folsom Station - Sacramento Business Journal](#)  
June 24 2020



By year's end, developer Jeremy Bernau would like to start on the second phase of his four-phase Historic Folsom project Folsom Station. Granite House, with first phase Roundhouse at right, would be a three-story building of for-sale lofts and ground-floor retail space.

Granite House, with an estimated \$10 million cost, will be on the northwest corner of Sutter and Reading streets in Folsom, west of Roundhouse. The first floor will have 6,670 square feet of retail across three spaces, with 30 for-sale lofts on the two upper floors.

Bernau, of Bernau Development Corp., said he's estimating about a year to build Granite House, making it possible residents could start occupying it in early 2021.

Once Granite House is done, Bernau said, that will allow him to get permanent financing for the third phase: Sutter Row, a three-story project of ground-floor retail, second-floor office and 17 lofts.

Completing Sutter Row would then allow financing to line up for the fourth and final phase: the two-story Leidesdorff Building, with office and retail space and 13 lofts.

"We're not stopping now," Bernau said.

Past mayor son-in-law is moving very fast with these apparently city-owned parcels, isn't he?

**From:** LJ Laurent <ljlaurent@att.net>  
**Sent:** Tuesday, March 9, 2021 2:28 PM  
**To:** Steven Wang; Mike Kozlowski; Christa Freemantle; Lydia Konopka; Sarah Aquino; Rosario Rodriguez; YK Chalamcherla  
**Cc:** Josh Kinkade; Pam Johns; Steven Banks; Desmond Parrington; Supervisor Sue Frost; The HFRA; kdewel@folsom.ca.us; Eileen Sobeck  
**Subject:** WRITTEN PUBLIC COMMENTS, Part II, PN 21 026, 3 9 2021, Hearing 3 17 21

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: Folsom city council via city clerk office;  
direct referral to Folsom city attorney and asst. city attorney  
cc: planning  
From: Laurette Laurent  
March 9, 2021

Re: PN 021 026 images below  
300 Reading St. **APN 070 0094 012**

Previously I sent to you Written PN 21 026 PUBLIC COMMENTS delivered to via EMAIL March 7 through today's date.  
Upon further examination the AD in March 7 2021 has striking **NEW LANGUAGE**. This language LITERALLY THIS TALL.

This is size of PN 21 026

This PN includes purported Limitations upon PUBLIC COMMENTS.  
Specifically, it refers to California Government Code 65009 &/or Public Resource Code 21177.

It is "signed/sent/noticed" by P. Johns CD Director.

PROBLEM: PN does not match either INTENT or words of Legislature. Below the CA Government & Public Resource Cited Codes are included in their entirety.

**PUBLIC COMMENT on accuracy** in Re: PN 21 026 for which there IS NO AGENDA available, is the **misquoting of a CA Section of Law which is EXPRESSLY DEFINED as being enacted by Legislature to prevent DELAY of HOUSING projects.**

HOUSING PROJECTS do NOT include "tattoo business" which are required to be ONLY in Folsom C2 or C3 Commercial Zone [**heavy impact** commercial businesses]. This is Folsom Law which I copied and providing as Evidence to city council.

It appears to people involved with BOTH cited State Laws, that Folsom council and Folsom staff [included our Licensed city attorneys] cannot use PARTIAL CITATIONS of LAW to imply EMAIL Documents and Research Papers are NOT PUBLIC COMMENTS.

It appears our same paid legal staff need to be ACTIVELY involved in such Notices, Hearings, "interpretations" or "Mis-representations" of Folsom Laws, such as General Plan, Zoning Map, Assessor Parcel Data by APN, and General Plan Map.

Since they are PAID to be Legal Counsel for city of Folsom, why should they NOT properly prepare Legal Analyses for Residents, Businesses, and Laws to be enacted by city council.

This is 100% unacceptable. Also unacceptable is PN statement:  
"A staff report will be available to public at city hall or online on the THURSDAY preceding the public hearing." March 11/March 17..... 3 business days. Worse yet, PN states: if you wish to sue or appeal, "An Appeal to the city council from any action of HDC may be brought by an interested party within then [sic] (10) days of the Public Hearing Date.

We get 3 business days to examine governing STATE Statutes, and 10 days afterwards to appeal. Three days is NOT ENOUGH time to engage OUTSIDE COUNSEL, or appeal to a LICENSING AUTHORITY about these improper constraints on our Rights, and OBJECTIONS to mis-use of California State Statutes Intent and Words.

Is it questionable that Folsom council is NOT obeying the city laws which mandate staff to get Licensed Lawyers Opinions?

Are five council with business Licenses properly PROTECTING the rights of all residents by ignoring Legal Counsel -- which we, ironically, pay for?

**MAJOR PUBLIC COMMENT as questions [again]:**

Why does Folsom City attorney [and Asst. city attorney] IGNORE their DUTIES?

Why is a planner, not a paid city lawyer, formulating and filing Land Use applications, special-treatment applications, etc.?

Why is **NO Licensed Civil Engineer** adding his input on the ABILITY of Public Infrastructure to tolerate land use changes? Especially since he might have noticed the Zone District Errors, the "Permitted Zone chart" and the harmful precedent this sets for the entire OLDEST part of Folsom?

Having spoken with residents, they are NOT "pleased or happy" as the OPED person opined. They are angry, disgusted, and fearful of having non-licensed EXPERTS ruining their Lifestyles, their neighborhoods, and reducing the value of their "Residential Zone" homes?

If they were given a full explanation of the 2018 WATERWORKS Folsom Raw Sewage Conveyance Pipes System WARNINGS and Sealed Findings, they'd be extremely concerned. If they had "pinhole leaks" that ruined their homes, they'd be filing against you all. You bought plastic mixes [Polyacrylamides] and put them wrongfully into our Drinking water and our now-broken water pipes -- but you never DEMANDED the City Engineer or the Water-Sewage Director sign & Seal the Report submitted to you.

To repeat: for the reasons in my earlier EMAIL containing the Sacramento County Recorder images, Folsom General Plan, Folsom Zone District USE Chart, and California State enabling legislation which you ignored,  
and  
including the false applicability of the California HOUSING citation, and other errors of NOTICE, Time limitations, and Implication ALL PUBLIC COMMENTS MUST BE PRESENTED AT CITYHALL, or AT THE MEETING PERSONALLY, in order to be circulated and considered

--



council need to do their own Investigating, and DEMAND sealed, signed Reports on all Legislation placed before them.

If city lawyers value their image, word, or reputation, it is suggested they READ, KNOW, OBEY, EXPLAIN, and ENFORCE all City, State, federal, county, and Criminal Laws.

Folsom is, IMO, based upon included Research, not only "new development dominated" in the extreme, but very questionable in matters of Law.....obeying/enforcing.

Below are Public Records used in this Research Report submitted as PN 21 026 Public Comments, but also as Complaints.

[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&ionNum=65901](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&ionNum=65901) identical to more readable:

<https://lawlink.com/research/codes/23/detail/64662/california-government-code-section-65009>

### **California Government Code Section 65009**

- (a) (1) The Legislature finds and declares that there currently is a housing crisis in California and it is essential to reduce delays and restraints upon **expeditiously completing housing projects.**
- (2) The Legislature further finds and declares that a legal action or proceeding challenging a decision of a city, county, or city and county has a chilling effect on the confidence with which property owners and local governments can proceed with projects. Legal actions or proceedings filed to attack, review, set aside, void, or annul a decision of a city, county, or city and county pursuant to this division, including, but not limited to, the implementation of general plan **goals and policies that provide incentives for affordable housing, open-space and recreational opportunities, and other related public benefits, can prevent the completion of needed developments even though the projects have received required governmental approvals.**
- (3) The purpose of this section is to **provide certainty for property owners** and local governments regarding decisions made pursuant to this division.
- (b) (1) In an action or proceeding to attack, review, set aside, void, or annul a finding, determination, or decision of a public agency made pursuant to this title at a properly noticed public hearing, the issues raised shall be limited to those raised in the public hearing or in **written correspondence delivered to the public agency prior to, or at, the public hearing,** except where the court finds either of the following: (A) The issue could not have been raised at the public hearing by persons exercising reasonable diligence. (B) The body conducting the public hearing prevented the issue from being raised at the public hearing.
- (2) If a public agency desires the provisions of this subdivision to apply to a matter, it shall include in any public notice issued pursuant to this title a notice substantially stating all of the following: If you challenge the (nature of the proposed action) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, **or in written correspondence delivered to the (public entity conducting the hearing) at, or prior to, the public hearing.**
- (3) The **application of this subdivision** to causes of action **brought pursuant to subdivision (d)** applies only to the final action taken in response to the notice to the city or clerk of the board of supervisors. If no final action is taken, then the issue raised in the cause of action brought pursuant to subdivision (d) shall be limited to those matters presented at a properly noticed public hearing or to those matters specified in the notice given to the city or clerk of the board of supervisors pursuant to subdivision (d), or both.

(c) (1) Except as provided in subdivision (d), no action or proceeding shall be maintained in any of the following cases by any person unless the action or proceeding is commenced and service is made on the legislative body within 90 days after the legislative body's decision:

(A) To attack, review, set aside, void, or annul the decision of a legislative body to **adopt or amend a general or specific plan**. This paragraph does not apply where an action is brought based upon the complete absence of a general plan or a mandatory element thereof, but does apply to an action attacking a general plan or mandatory element thereof on the basis that it is inadequate.

(B) To attack, review, set aside, void, or annul the decision of a legislative body to adopt or amend a zoning ordinance.

(C) To determine the reasonableness, legality, or validity of any decision to adopt or amend any regulation attached to a specific plan.

(D) To attack, review, set aside, void, or annul the decision of a legislative body to adopt, amend, or modify a development agreement. An action or proceeding to attack, review, set aside, void, or annul the decisions of a legislative body to adopt, amend, or modify a development agreement shall only extend to the specific portion of the development agreement that is the subject of the adoption, amendment, or modification. This paragraph applies to development agreements, amendments, and modifications adopted on or after January 1, 1996.

**(E) To attack, review, set aside, void, or annul any decision on the matters listed in Sections 65901 and 65903, or to determine the reasonableness, legality, or validity of any condition attached to a variance, conditional use permit, or any other permit.**

(F) Concerning any of the proceedings, acts, or determinations taken, done, or made prior to any of the decisions listed in subparagraphs (A), (B), (C), (D), and (E). (2) In the case of an action or proceeding **challenging the adoption or revision of a housing element pursuant to this subdivision**, the action or proceeding may, in addition, be maintained if it is commenced and service is made on the legislative body within 60 days following the date that the Department of Housing and Community Development reports its findings pursuant to subdivision (h) of Section 65585.

(d) An action or proceeding shall be commenced and the legislative body served within one year after the accrual of the cause of action as provided in this subdivision, if the action or proceeding meets both of the following requirements:

(1) It is brought in support of or to encourage or facilitate the development of housing that would increase the **community's supply of housing affordable** to persons and families with low or moderate incomes, as defined in Section 50079.5 of the Health and Safety Code, or with very low incomes, as defined in Section 50105 of the Health and Safety Code, or middle-income households, as defined in Section 65008 of this code. This subdivision is not intended to require that the action or proceeding be brought in support of or to encourage or facilitate a specific housing development project. (2) It is brought with respect to actions taken pursuant to Article 10.6 (commencing with Section 65580) of Chapter 3 of this division, pursuant to Section 65589.5, 65863.6, 65915, or 66474.2 or pursuant to Chapter 4.2 (commencing with Section 65913). A cause of action brought pursuant to this subdivision shall not be maintained until 60 days have expired following notice to the city or clerk of the board of supervisors by the party bringing the cause of action, or his or her representative, specifying the deficiencies of the general plan, specific plan, or zoning ordinance. A cause of action brought pursuant to this subdivision shall accrue 60 days after notice is filed or the legislative body takes a final action in response to the notice, whichever occurs first. A notice or cause of action brought by one party pursuant to this subdivision shall not bar filing of a notice and initiation of a cause of action by any other party. (e) Upon the expiration of the time limits provided for in this section, all persons are barred from any further action or proceeding.

(f) Notwithstanding Sections 65700 and 65803, or any other provision of law, this section **shall apply to charter cities**.

(g) Except as provided in subdivision (d), this section shall not affect any law prescribing or authorizing a shorter period of limitation than that specified herein.

(h) Except as provided in paragraph (4) of subdivision (c), this section shall be applicable to those decisions of the legislative body of a city, county, or city and county made pursuant to this division on or after January 1, 1984.

GOVERNMENT CODE - GOV

**TITLE 7. PLANNING AND LAND USE [65000 - 66499.58]**

*(Heading of Title 7 amended by Stats. 1974, Ch. 1536.)*

**DIVISION 1. PLANNING AND ZONING [65000 - 66301]**

*(Heading of Division 1 added by Stats. 1974, Ch. 1536.)*

**CHAPTER 4. Zoning Regulations [65800 - 65912]**

*(Chapter 4 repealed and added by Stats. 1965, Ch. 1880.)*

**ARTICLE 3. Administration [65900 - 65909.5]**

*(Article 3 added by Stats. 1965, Ch. 1880.)*

**65901.** (a) The board of zoning adjustment or zoning administrator shall hear and decide applications for conditional uses or other permits **when the zoning ordinance provides therefor and establishes criteria for determining those matters**, and applications for variances from the terms of the zoning ordinance. The **board of zoning adjustment or the zoning administrator** may also exercise **any other powers granted by local ordinance, and may adopt all rules and procedures necessary or convenient for the conduct of the board's or administrator's business.**

(b) In accordance with the **requirements for variances** specified in Section 65906, the legislative body of the city or county may, by ordinance, authorize the board of zoning adjustment or zoning administrator to decide applications for variance from the terms of the zoning ordinance without a public hearing on the application. **That ordinance shall specify the kinds of variances which may be granted by the board of zoning adjustment or zoning administrator, and the extent of variation** which the board of zoning adjustment or zoning administrator may allow.

**DATE OF HEARING:** March 17, 2021

**TIME OF HEARING:** 4:00 P.M.

**PLACE OF HEARING:** City Council Chambers, 50 Natoma Street,  
Folsom, CA 95630

NOTICE IS HEREBY GIVEN THAT: A public hearing will be held by the Historic District Commission of the City of Folsom to consider the merits of the following:

**PROJECT NAME** 300 Reading Street Conditional Use Permit

Property Owner/Applicant: William E. Henderson

Project Location/APN: 300 Reading St. / 070-0094-012

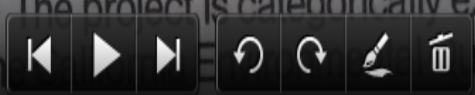
Planning No.: PN-21-026

Staff Contact: Josh Kinkade, Associate Planner, 916-461-6209, jkinkade@folsom.ca.us

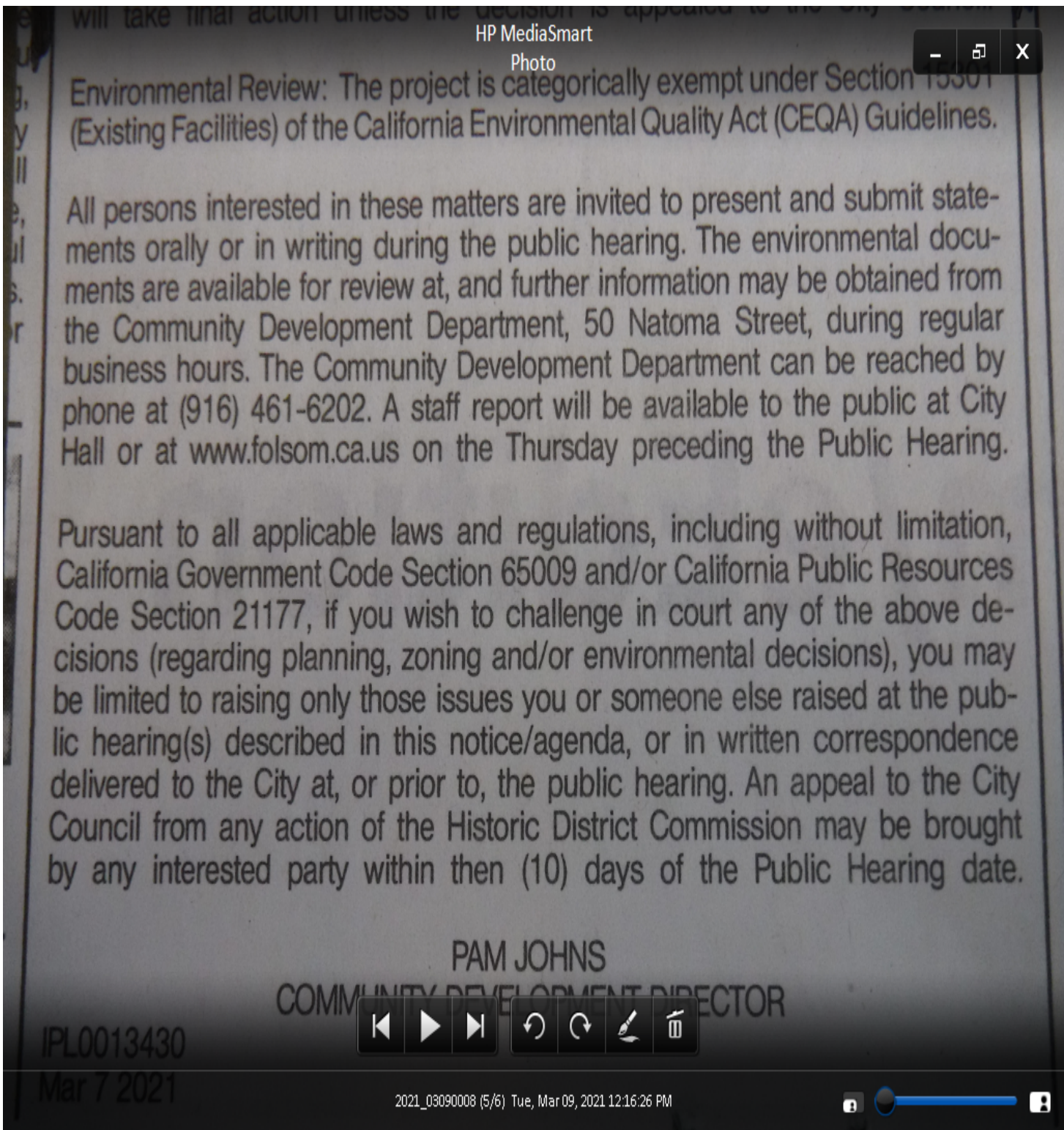
Entitlements: a. Conditional Use Permit

Project Description: The proposed project includes operation of the Folsom City Ink tattoo business at an existing 800-square foot commercial building located at 300 Reading Street. The site is zoned HD (Sutter Street Subarea of the Commercial Primary Area) and has a General Plan designation of HF (Historic Folsom). The Historic District Commission will take final action unless the decision is appealed to the City Council.

Environmental Review: The project is categorically exempt under Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines.



2021\_03090009 (6/6) Tue, Mar 09, 2021 12:16:46 PM



**PUBLIC RESOURCES CODE - PRC**

**DIVISION 13. ENVIRONMENTAL QUALITY [21000 - 21189.70.10]**

*(Division 13 added by Stats. 1970, Ch. 1433. )*

**CHAPTER 6. Limitations [21165 -**

**21177]**

*( Chapter 6 added by Stats. 1972, Ch. 1154. )*

**21177.** (a) An action or proceeding shall not be brought pursuant to Section 21167 unless the alleged grounds for noncompliance with this division were presented to the public agency orally or in writing by any person during the public comment period provided by this division or before the close of the public hearing on the project before the issuance of the notice of determination.

**EMAIL: is it "written public comment"?**

some of us do not have a Printer.

IF EMAIL is Meeting PUBLIC COMMENT in a large CA city and University of CA, then presumably EMAIL is "written public comment" in Folsom CA as well.

Members of the public are welcome to submit written comments prior or during the meeting. Comments should be submitted by email to [PublicComments@walnut-creek.org](mailto:PublicComments@walnut-creek.org) (or via mail sent to: City Clerk's Office, 1666 North Main Street, Walnut Creek, CA 94596).

- **Written comments received two hours prior to the start of the meeting** will be provided to the Commission/Committee and posted to the City website as part of the official record of the meeting.
- **Written comments received during the 2 hours prior to the meeting and during the meeting (but prior to the Commission's/Committees's consideration of the particular agenda item)** will be provided to the Commission/Committee and posted to the City website as part of the official record of the meeting but will not be read into the record.

Written comments received addressing items on the agenda can be sent to the Office of the Secretary and Chief of Staff ([regentsoffice@ucop.edu](mailto:regentsoffice@ucop.edu)) no less than twenty-four (24) hours in advance of the scheduled start time of the first session of a Board meeting

End Report.

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**ADDENDUM:** Public COMMENT: **PERSONAL IMPACTS upon historic district resident.**

Folsom officials and staff seem to be very mis-informed by "someone" never identified [maybe one who disposes of contrary opinion people]. In the past my Subdivision was arbitrarily included in the 'historic district.'

Having direct knowledge of WHY, and HOW, this occurred, I take tremendous exception to this city's continual land usage errors+or+Misrepresentations, and taking our very limited WATER Supply to benefit Luxury Homes \$50. Google it: dozens of ads. Then try "affordable housing Folsom" -- Zero, but 1 "plan."

Given YOUR methods, as demonstrated, NONE of US in the "historic district" which includes the OLDEST BUILDINGS and the WORST Infrastructure and Century+ old "streets" only 18 feet wide,

is safe from a real FEAR you will next permit inaccurate material and Non-licensed staffers to put a tattoo business, a rendering plant, a bar/saloon, or, insanely enough --- a 2,400 Degree F Furnace to burn bodies, --- **RIGHT NEXT TO US & forest.**

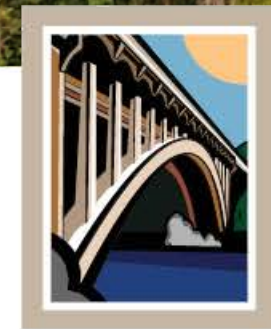
Could you please STOP at: having poisoned Drinking Water, taking wrongfully our existing city Pre 1914 Water supply, accepting Subdivisions & Zoning entitlements with ZERO Lic. Civil Engineer Seal & Signature?  
Are you swayed by staff and the braggadocio type?

## **Attachment 9**

# **Staff PowerPoint Presentation**



# PN 21-026: 300 Reading Street Conditional Use Permit



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Project Vicinity

# Existing Location



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# Site Photo



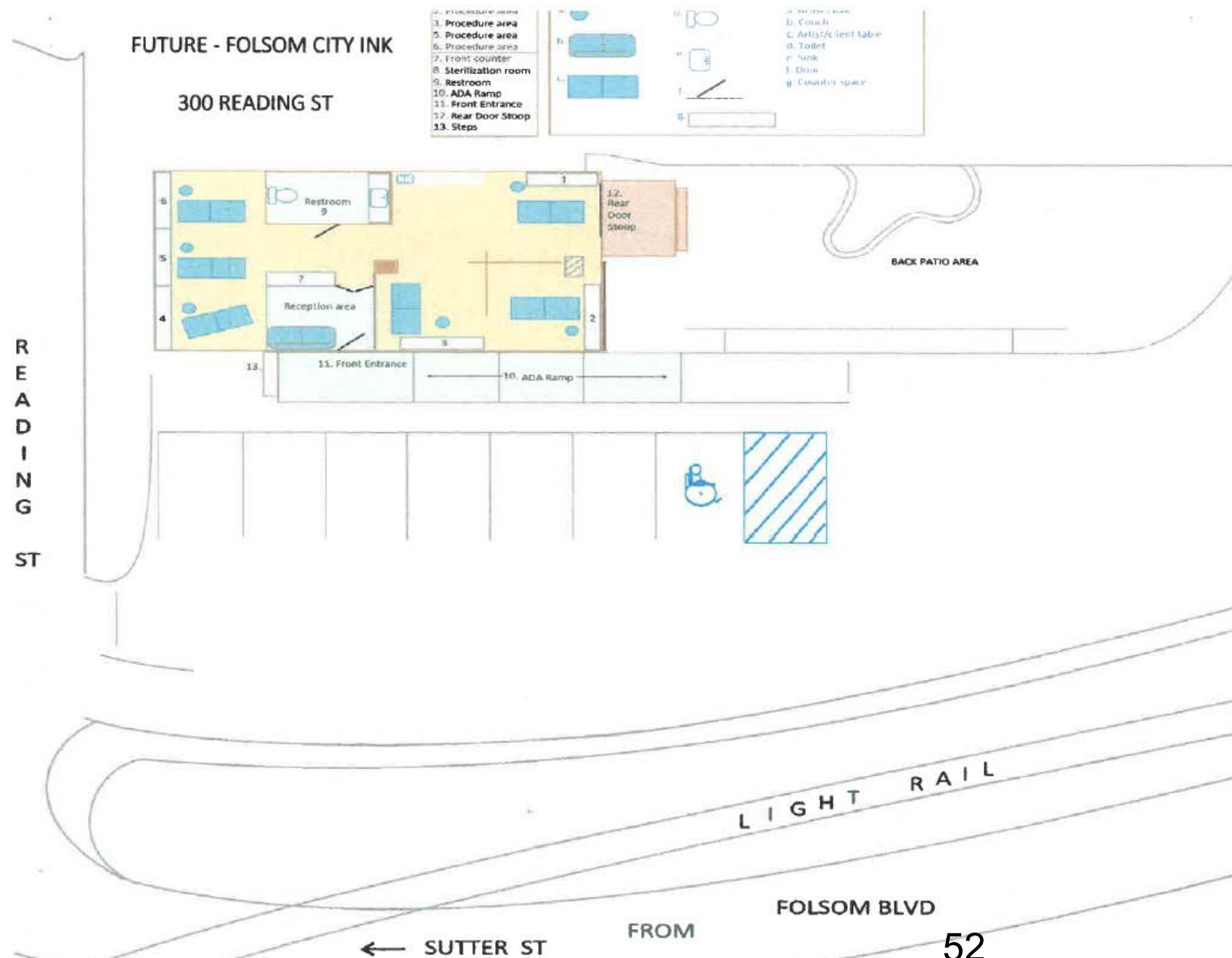
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# Site Plan



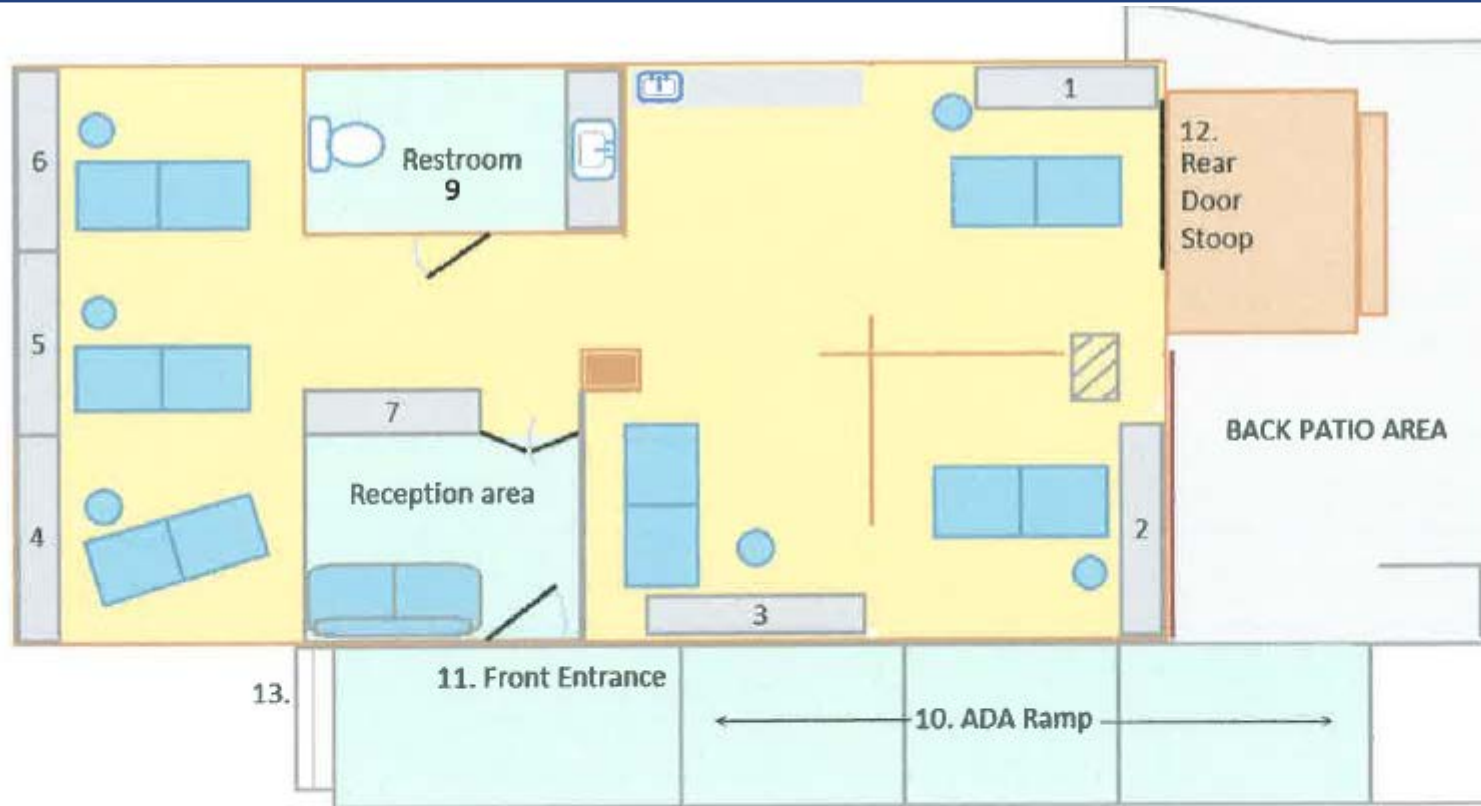
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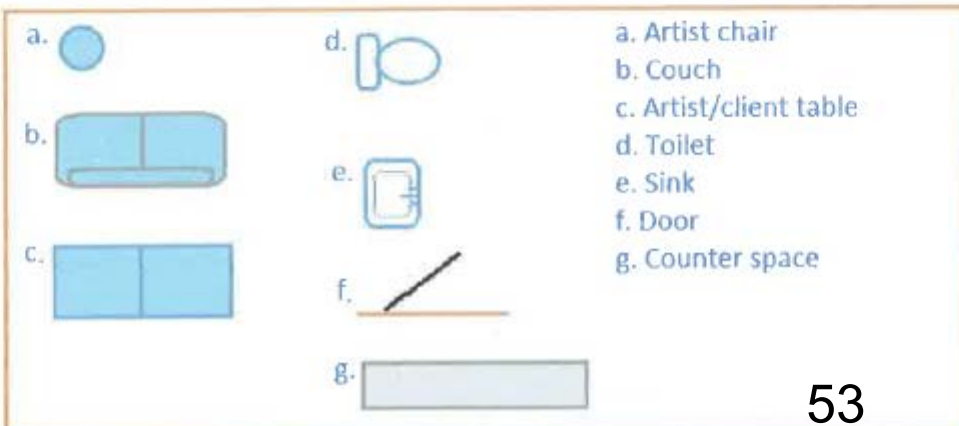
# Floor Plan



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- 1. Procedure area
- 2. Procedure area
- 3. Procedure area
- 5. Procedure area
- 6. Procedure area
- 7. Front counter
- 8. Sterilization room
- 9. Restroom
- 10. ADA Ramp
- 11. Front Entrance
- 12. Rear Door Stoop
- 13. Steps



# Staff Recommendation



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Staff recommends approval of  
PN 21-026 for a Conditional Use  
Permit for a tattoo parlor business at  
300 Reading Street.



CITY OF  
**FOLSOM**  
DISTINCTIVE BY NATURE

**AGENDA ITEM NO. 2**  
**Type: Workshop**  
**Date: March 17, 2021**

## **Historic District Commission Staff Report**

50 Natoma Street, Council Chambers  
Folsom, CA 95630

**Project:** Zoning Code Update – Update on Progress, Schedule, and Remaining Tasks  
**File #:** PN 19-051  
**Request:** Review and Comment  
**Location:** Historic District and 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 topics, schedule, and remaining tasks for the new Zoning Code Update.

**Project Summary:** Staff is returning to the Historic District Commission for an update on progress on the new Zoning Code. The purpose of this workshop is to review topics covered so far, remaining tasks, and to discuss the current schedule. City staff launched the effort to comprehensively update the City’s Zoning Code in early 2019. The Zoning Code update was one of the key implementation efforts identified in the City’s new 2035 General Plan, which was adopted by City Council in August 2018. The Zoning Code implements the land use element of the City’s General Plan and provides detailed regulations for the location, type, and design of buildings and land in Folsom. It also helps protect the environment and guard against potential use conflicts. Though 36 percent of the City has developed under specific plans, the Zoning Code regulates development in all other areas (approximately 64% of the City). In addition, within a specific plan area, if a development issue is not addressed in that specific plan, then the regulations of the Zoning Code apply.

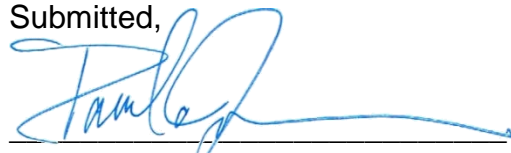
The City’s Zoning Code, which is Title 17 of the Folsom Municipal Code, has not been comprehensively updated in several decades. Over time, the Zoning Code has been changed and added to, but this has led to inconsistencies and confusion in some sections. In addition, since 2017, the State has enacted a series of new laws that affect the development process, particularly as it relates to housing. As a result, staff embarked on a comprehensive update of the Zoning Code in early 2019 with its consultant team led by Mintier Harnish. While most development standards that affect existing neighborhoods will not change, staff has focused in on the areas where there are opportunities for development (e.g., commercial corridors or around light rail stations) or where existing standards are inadequate or confusing (i.e., Historic District).

City staff and its consultants have made substantial progress on the draft Zoning Code and have held multiple workshops with the Commissions and with the public in order to gather input, share ideas, and discuss recommendations. To date, workshops have covered issues such as a proposal for a new zoning district for small lot development; a new approach to zoning in the Historic District; parking standards; the use of overlay zones along the East Bidwell Corridor and near the City’s light rail stations; simplification of use tables as they relate to allowed uses in different districts; outdoor dining; and entertainment and alcohol serving uses.

In addition, staff and its consultants also prepared a new ordinance regulating Accessory Dwelling Units (ADUs). This was removed from the scope of the Zoning Code update and accelerated given that new State laws for ADUs went into effect on January 1, 2020. A design workbook for ADUs was also prepared by staff and a new website set up ([www.folsom.ca.us/adu](http://www.folsom.ca.us/adu)) to help guide applicants through the new process.

Despite the work accomplished so far, significant work remains, and staff have been delayed and do not expect to complete the update process by this spring as originally planned. During the COVID-19 pandemic, staff had to shift its focus away from the Zoning Code update to focus on establishing online tools that would assist customers with their development applications and inquiries. While the plan review process has been setup online and can now be conducted electronically, CDD staff continues to work on establishing a new permit tracking system to replace the almost 25-year-old system currently in use. The new system will create an online customer portal that will allow for application in-take, review, tracking, payment and permit issuance and project approval. This will handle not just building permit applications but applications for all types of projects including entitlements, such as design review applications, conditional use permits, etc. It is anticipated that this new system will launch this summer. In addition, CDD staff have seen a marked increase in the number of development applications including planning entitlements during the pandemic. As a result of these efforts, it is anticipated that a public review draft of the new Zoning Code will not be ready until the fall of 2021 with expected hearings at the end of 2021 or early 2022.

Submitted,



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PAM JOHNS  
Community Development Director



## **ATTACHMENT 1 DESCRIPTION/ANALYSIS**

Background: Development within the City is regulated by the 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. 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. For example, 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.

On October 10, 2019, City staff held a workshop with the Historic District Commission to discuss the Zoning Code Update and review the existing issues with zoning regulations for the Historic District. The issues discussed included:

- Confusion over existing Historic District zoning and development standards.
- Issues with the non-conforming uses and the Zoning Code, particularly with older homes and structures that pre-date the City's Zoning Code.
- Incomplete standards in the Historic District Chapter (Chapter 17.52) of the Zoning Code including missing parking requirements for some primary areas.
- Relationship between the Historic Design and Development Guidelines and the Zoning Code.
- Conflicts between the base zoning district, Historic District subarea standards and General Plan land use designation.

Several other workshops and hearings with the Planning Commission and Historic District Commission were held in January, February, and June 2020 on the topic of ADUs. Based on input from the public and the Commissions, staff prepared an ADU Ordinance (Chapter 17.105 of the Folsom Municipal Code) that complied with new State laws, but also took into account the differences between the Historic District and the rest of the city. That ordinance was adopted in July 2020 and went into effect last August.

In addition, City staff prepared a detailed guide for homeowners, architects, and developers that explained the ADU process and provided helpful guidelines to ensure quality design of these units. The workbook included a special section devoted just to ADUs in the Historic District.

More Zoning Code Update workshops with the Commissions were held in October and November 2020. The workshop with the Historic District Commission in October focused on staff's proposal for a new approach to zoning in the Historic District. In a detailed attachment to the staff report, staff set out a zoning proposal for new zoning designations for the Historic District based primarily on the existing subareas in Chapter 17.52 of the Zoning Code and the elimination of the base zoning. The new zoning districts would incorporate standards drawn from the Historic District Design and Development Guidelines. Several examples explaining the new zoning were provided. The new zoning approach would simplify the layers of land use regulation in the district from four to two and would eliminate the conflicts in the existing regulations. Staff also discussed the need for some minor boundary changes to a few of the subareas where commercial development in a primarily residential subarea (Central Subarea) may be more suitable in a mixed-use subarea (Natoma-Riley-Bidwell) where it is adjacent to that subarea.

In November 2020, City staff held workshops with both Commissions on key topics from Articles 3 and 4 of the new Zoning Code. Article 3 will address site planning and general development standards while Article 4 will cover standards for specific uses such as drive-throughs, home occupation permits, accessory uses; and alcohol-serving and entertainment uses. The topics presented in those workshops included:

- Off-street parking requirements, when and where reductions may be justified, and what process should be used when reviewing, granting, or denying requests for parking reductions.
- Case law resulting in changes to the existing regulations covering sign standards and recommendations for changes in sign allowances particularly for multi-tenant centers as well as multi-tenant office buildings.
- Regulation of restaurants with outdoor seating as well as alcohol-serving and entertainment uses. This included a discussion of parking standards for restaurants with large outdoor seating areas and the use of conditional use permits for alcohol-serving uses based on hours of operation and location criteria in contrast to the current practice that is based on the amount of area devoted to alcohol service.

Community Outreach: In addition to the Commission workshops noted earlier in this report, staff has conducted several other outreach efforts to solicit input on the Zoning Code update. These included:

- March 2019: Created Folsom Zoning Code Update website ([www.folsom.ca.us/zoningcode](http://www.folsom.ca.us/zoningcode))
- April 2019: Stakeholder interviews with residents and neighborhood group leaders, business leaders, environmentalists, developers, affordable housing advocates, Historic District representatives, developers, architects, and community leaders.
- April 2019: An educational seminar on the Zoning Code for the Commission and Council members.
- May 2019: A community survey on key zoning issues.
- May 2019: A community workshop on the zoning code update.
- February 2020: A community workshop on ADUs.
- September 2020: A virtual community workshop and survey on staff's Historic District zoning proposal.

Staff has an email notification list of over 500 persons consisting of residents, businesses, community and religious groups, developers, preservationists, etc. In addition to email, staff also uses the City's bi-monthly newsletter, weekly electronic newsletter, and social media to provide notices about meetings and workshops for the Zoning Code update.

Remaining Tasks: Despite the progress to date, there are still several major tasks remaining and those will involve additional workshops with the Commissions and the public. Those tasks include:

- Completion of draft Historic District zoning designations, development standards and objective design standards
- Development standards for TOD overlay zones and East Bidwell Corridor
- Administrative procedures including:
  - Level of review (Director, Commission, Council);
  - Public noticing; and
  - Handling non-conforming uses.

After completion of these tasks, a public review draft will be released for a 30-day public comment period. This will allow time for the public to review the new draft code, compare it with the current code, identify any questions or concerns, and submit comments to City staff. Upon conclusion of the public comment period and time for staff to address those comments, including Commission and Council comments, staff will begin the public hearing process with the goal of adopting the updated Zoning Code.

### Next Steps and Schedule:

As result of the delays mentioned earlier in this report, it is anticipated that the remaining workshop on the topics noted in the prior section will be held in late spring/early summer with a public review draft being released in fall 2021. The public hearing process would begin in winter 2021 with anticipated adoption of the new ordinance in early 2022.

### **POLICY/RULE**

The City's 2035 General Plan established several policies which are guiding 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 4.1.6 Parking Management: Develop long-term parking management approaches that decrease the amount of land dedicated to surface parking while maintaining parking capacity. Solutions may include parking structures or shuttles to nearby parking.
- 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 6.1.5 Off-Street Parking: Require sufficient off-street parking for residents be included in the design of all residential projects. Off-street parking for guests shall be included in the design of all multifamily projects. The City shall allow for reduced parking requirements for high-density residential and mixed-use developments near transit stations.
- 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 special presentation and is not a project as defined by California Environmental Quality Act (CEQA). It is therefore not subject to environmental review.

**RECOMMENDATION/HISTORIC DISTRICT COMMISSION ACTION**

Review and comment. This is an informational presentation designed to provide an update on the project, answer questions and receive any input on the Zoning Code update from the Commission.

## **Attachment 2**

# **Presentation on Zoning Code Update Status**

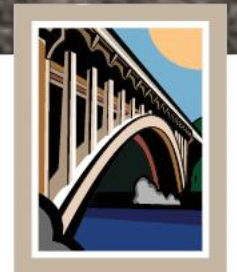


# Zoning Code Update

Status Presentation

Historic District Commission

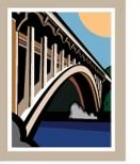
March 17, 2021



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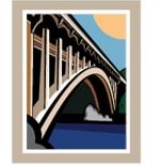
# Background



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- Why Zoning Code Update is needed:
  - Current Zoning Code outdated
  - Consistency with 2035 General Plan
  - Changes in development types and uses
  - New State laws

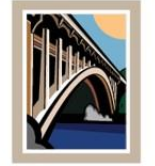
# Project Phases



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- Project Initiation Complete
- Zoning District Provisions In progress
- General Site Planning and Specific Use Standards In progress
- Administrative Provisions In progress
- Public Review Draft Zoning Code and Map
- CEQA Compliance (Environmental Review)
- Public Review and Adoption
- Implementation

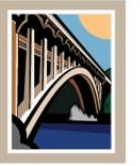
# Zoning District Provisions



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- New Accessory Dwelling Unit Ordinance and Design Workbook
- Presented new zoning approach for Historic District
  - Simplifies 4 layers of land use regulation to 2
  - Removes base zoning and instead new zone based on subarea designation
  - Would incorporate standards from HD DDGs
  - Eliminates existing conflicts between layers of land use regulation
- Presented new overlay zone districts:
  - Transit Oriented Development Overlay District
  - East Bidwell Mixed-Use Corridor Overlay

# Site Planning and Use Standards



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- Simplification of use tables
  - Allowed uses
  - Conditionally allowed uses
  - Prohibited uses
- Staff provided recommendations on the following:
  - Replacing use of variance for parking with new administrative permit and findings approved by Commission
  - New standards for businesses with large outdoor dining space
  - Clearer standards for signage in Natoma-Riley-Bidwell Area of Historic District
  - Greater allowances for signage on multi-tenant buildings
  - Standards for Entertainment and Alcohol Serving uses based on location and hours of operation

# Administrative Provisions



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- Staff and consultant team currently working on administrative process including:
  - Appropriate level of review for decisions on permits, site plan and design review, etc.
  - Rules covering non-conforming uses
  - Procedures for Permits (AUP, CUP, TUP, etc.)
  - Procedures for Zoning Clearance as well as Site Plan and Design Review
  - Public noticing requirements
  - Process for public hearings, appeals and enforcement

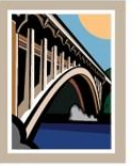
# Outreach Summary To Date



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- Council/Commission educational workshop
- Community survey on Zoning issues (May 2019)
- Community workshops: (May 2019; Feb. 2020 [ADU]; and Sept. 2020 [Historic District])
- Historic District Commission: Four Historic District Commission Workshops as well as 3 sessions on ADU Ordinance
- Planning Commission: Four workshops as well as 2 sessions on ADU Ordinance
- Zoning Code Update website: [www.folsom.ca.us/zoningcode](http://www.folsom.ca.us/zoningcode)
- City Newsletter and social media announcements

# Remaining Tasks



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- Historic District
  - Development standards
  - Objective design standards
- TOD and East Bidwell Corridor Overlay Districts
  - Development standards
- Administrative Procedures
- Public Review Draft Publication and Public Comment Period
- Virtual Community Workshop(s) and Commission Workshops
- Environmental Review
- Commission and Council Hearings

# Current Status

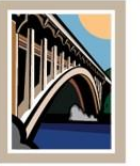


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- Project delayed due to pandemic
- Focus has been on setting up online application, review, payment and permitting tools for customers
- Processing high volume of entitlement applications
- Completion likely at end of 2021/early 2022



# Next Steps



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- HDC Workshop on new Historic District zones and standards
- Workshops TOD and East Bidwell Overlay Zones
- Workshops on Administrative Procedures
- Public Review Draft and Public Comment Period
- Virtual Community Workshop



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# Questions?

Commission Zoning Code Update Presentation



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# Thank You!

For more information visit:

[www.folsom.ca.us/zoningcode](http://www.folsom.ca.us/zoningcode)