



CITY of CLOVIS

AGENDA • CITY COUNCIL MEETING

Council Chamber, 1033 Fifth Street, Clovis, CA 93612 (559) 324-2060
www.cityofclovis.com

August 12, 2024

6:00 PM

Council Chamber

In compliance with the Americans with Disabilities Act, if you need special assistance to access the City Council Chamber to participate at this meeting, please contact the City Clerk or General Services Director at (559) 324-2060 (TTY – 711). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the Council Chamber.

The Clovis City Council meetings are open to the public at the physical address listed above. There are numerous ways to participate in the City Council meetings: you are able to attend in person; you may submit written comments as described below; and you may view the meeting which is webcast and accessed at www.cityofclovis.com/agendas.

Written Comments

- Members of the public are encouraged to submit written comments at: www.cityofclovis.com/agendas at least two (2) hours before the meeting (4:00 p.m.). You will be prompted to provide:

- Council Meeting Date
- Item Number
- Name
- Email
- Comment



- Please submit a separate form for each item you are commenting on.
- A copy of your written comment will be provided to the City Council noting the item number. If you wish to make a verbal comment, please see instructions below.
- Please be aware that any written comments received that do not specify a particular agenda item will be marked for the general public comment portion of the agenda.
- If a written comment is received after 4:00 p.m. on the day of the meeting, efforts will be made to provide the comment to the City Council during the meeting. However, staff cannot guarantee that written comments received after 4:00 p.m. will be provided to City Council during the meeting. All written comments received prior to the end of the meeting will be made part of the record of proceedings.

CAMPAIGN CONTRIBUTION PROHIBITIONS AND MANDATORY DISCLOSURE - Pursuant to Government Code section 84308, a Councilmember shall not accept, solicit, or direct a campaign contribution of more than \$250 from any party or their agent, or from any participant or their agent, while a proceeding involving a license, permit, contract, or other entitlement for use is pending before the City or for 12 months after a final decision is rendered in that proceeding. Any Councilmember who has received a campaign contribution of more than \$250 within the preceding 12 months from a party or their agent, or from a participant or their agent, must disclose that fact on the record of the proceeding and shall not make, participate in making, or in any way attempt to use their official position to influence the decision.

Pursuant to Government Code section 84308(e), any party to a covered proceeding before the City Council is required to disclose on the record of the proceeding any campaign contribution, including aggregated contributions, of more than \$250 made within the preceding 12 months by the party or their agent to any Councilmember. The disclosure shall be made as required by Government Code Section 84308(e)(1) and 2 CCR Section 18438.8. No party or their agent, and no participant or their agent, shall make a campaign contribution of more than \$250 to any Councilmember during the covered proceeding or for 12 months after a final decision is made in that proceeding. The foregoing statements do not constitute legal advice, and parties and participants are urged to consult with their own legal counsel regarding the applicable requirements of the law.

CALL TO ORDER

FLAG SALUTE - Councilmember Pearce

ROLL CALL

PUBLIC COMMENTS - This is an opportunity for the members of the public to address the City Council on any matter within the City Council's jurisdiction that is not listed on the Agenda. In order for everyone to be heard, please limit your comments to 3 minutes or less, or 10 minutes per topic. Anyone wishing to be placed on the Agenda for a specific topic should contact the City Manager's office and submit correspondence at least 10 days before the desired date of appearance.

CONSENT CALENDAR - Items considered routine in nature are to be placed upon the Consent Calendar. They will all be considered and voted upon in one vote as one item unless a Councilmember requests individual consideration. A Councilmember's vote in favor of the Consent Calendar is considered and recorded as a separate affirmative vote in favor of each action listed. Motions in favor of adoption of the Consent Calendar are deemed to include a motion to waive the reading of any ordinance or resolution on the Consent Calendar. For adoption of ordinances, only those that have received a unanimous vote upon introduction are considered Consent items.

1. Administration - Approval - Minutes from the August 5, 2024, Council Meeting.
2. Public Utilities – Approval – Waive Formal Bidding Requirements and Authorize the Purchase of a Custom Crane Truck Body from Douglass Truck Bodies, Inc., for \$162,725.88, Including Tax and Installation.
3. Public Utilities – Approval – Waive Formal Bidding Requirements and Authorize the Purchase of a Bomb Disposal Truck from Braun Northwest for \$462,874.23 and a Bomb Disposal Trailer from Hurd's Custom Machinery for \$77,794.08 Using the HGAC Purchasing Contract.

4. Public Utilities – Approval – Final Acceptance for CIP 23-16, Gould Canal Trail Improvements, with a Final Contract Cost of \$164,589.03.

PUBLIC HEARINGS - A public hearing is an open consideration within a regular or special meeting of the City Council, for which special notice has been given and may be required. When a public hearing is continued, noticing of the adjourned item is required as per Government Code 54955.1.

5. Consider Approval - Res. 24-____, CUP2024-003 Appeal. A request to consider an appeal of the Planning Commission's approval of CUP2024-003 for an 18-bed congregate care facility for the properties located at 2901 and 2939 Armstrong Avenue. Cheryl Nelson, owner; ARK Congregate Living – Fresno, LLC, applicant, and Orlando Ramirez, representative.

Staff: Marissa Jensen, Assistant Planner

Recommendation: Uphold the Planning Commission's approval

ADMINISTRATIVE ITEMS - Administrative Items are matters on the regular City Council Agenda other than Public Hearings.

6. Consider Approval – Designation of Voting Delegate and Alternate for the League of California Cities' Annual Conference and Business Meeting on October 16-18, 2024.

Staff: John Holt, City Manager

Recommendation: Approve

CITY MANAGER COMMENTS

COUNCIL COMMENTS

ADJOURNMENT

FUTURE MEETINGS

Regular City Council Meetings are held at 6:00 P.M. in the Council Chamber. The following are future meeting dates:

August 19, 2024 (Mon.)

Sept. 3, 2024 (Tue.)

Sept. 9, 2024 (Mon.)

Sept. 16, 2024 (Mon.)

CLOVIS CITY COUNCIL MEETING

August 5, 2024

6:00 P.M.

Council Chamber

Meeting called to order by Mayor Ashbeck at **6:02**

Flag Salute led by Councilmember Bessinger

Roll Call: Present: Councilmembers, Basgall, Bessinger, Mouanoutoua, Pearce
Mayor Ashbeck

PUBLIC COMMENTS – 6:06

Mayor Ashbeck took a moment of silence to honor the memory of Marilyn Zygnier Harlan, who served on the City Council from April 1984 through 1988, Mike Cunningham, who served as Planning Commissioner from December 2016 through April 2023, and Sean Burdine, resident of Clovis.

Bill Scott, United Sovereign Americans volunteer, addressed concerns with the states voter roll database and requested the council place a Legally Valid 2024 General Election Resolution on the next agenda in support.

Leslie Swan, resident, read a portion of the Resolution for a Legally Valid 2024 General Election.

Cindy Fukuyama, resident, read the last part of the Resolution for a Legally Valid 2024 General Election.

Sharon Teryan, resident, spoke regarding the Resolution for a Legally Valid 2024 General Election.

Vickie Goudreau, resident, invited the Council to the October 19-20, 2024, The Whole Vine Festival event at Fresno State.

Jeanette Ishii, San Joaquin Valley Board of Directors, invited the Council to Twilight Talks Series on September 18, 2024.

Mila, resident, expressed gratitude towards the tobacco retail license policy.

Bao Xiong, California Health Collaborative Project Director, spoke on the tobacco retail license policy.

Kara, resident, spoke on the tobacco retail license policy.

Leilani, resident, spoke on the tobacco retail license policy.

Eugene King, resident, spoke regarding the need for future expansion of youth recreation in the East side of Clovis.

Terry Ogle, Fresno County Transportation Authority Executive Director, spoke regarding the extension of Measure C in the upcoming 2026 election.

Dr. Kim Armstrong, Clovis Community College President, announced recent appointment as interim President of the Fresno City College and introduced Dr. Monica Chahal, Clovis Community College Vice President of Instruction.

Dr. Monica Chahal, Vice President of Instruction Clovis Community College Vice President of Instruction, announced recent appointment as interim President for Clovis Community College.

CONSENT CALENDAR – 6:44

Motion by Councilmember Bessinger, seconded by Councilmember Mouanoutoua, that the items, with the exception of items 3-5, on the Consent Calendar be approved. Motion carried by unanimous vote.

1. Administration - Approved - Minutes from the July 1, 2024, Council Meeting.
2. Administration - Received and Filed – Business Organization of Old Town (BOOT) Fourth Quarter Report, April through June 2024.
6. Administration - Approved – Request from Central Valley Fallen Heroes for closure of portions of Pontiac Way and Never Forget Lane, adjacent to the California 911 Memorial to hold the annual Fallen Heroes Car Show on October 5, 2024.
7. Finance - Approved - **Res. 24-80**, Measure C Extension Local Transportation Pass Through Revenues Certification and Claim Forms for 2024-25.
8. General Services – Approved – Approve the first amendment to the Environment Control Agreement for janitorial services; and Authorize the City Manager to execute the First Amendment Agreement contract extension with Environment Control for services for total annual proposed charges of \$566,376.00, and additional annual charges for special services of \$35,352.00.
9. General Services – Approved – **Res. 24-81**, Authorizing the City Manager to Execute an Agreement for FY 2024-2025 Older Americans Act Funding for Title III C-1 Nutrition Services through the Fresno-Madera Area Agency on Aging (FMAAA); and Approved - **Res. 24-82**, Amending the FY 2024-2025 General Services Department Budget to Reflect \$48,000.00 in Grant Funding for the Clovis Senior Activity Center Awarded by the Fresno-Madera Area Agency on Aging.
10. General Services – Approved - Waive the City’s Usual Purchasing Procedures and Authorize the Purchase of Furniture for Public Safety Headquarters from Core Business Interiors Utilizing Pricing from a Competitive Bid Award Through the County of Fresno, for a total cost of \$99,998.50.
11. General Services – Approved - Waive the City’s Usual Purchasing Procedures and Authorize the Purchase of Furniture for Personnel Offices, located at 1625 Shaw Avenue, from Core Business Interiors Utilizing Pricing from a Competitive Bid Award Through the County of Fresno, for a total cost of \$124,730.97.
12. Planning and Development Services – Approved – Final Acceptance for CIP 22-05 Trail Pavement Maintenance 2022, with a final contract cost of \$147,049.76.

- 13. Planning and Development Services – Approved – Final Acceptance for CIP 24-04 ADA Curb Return Ramps 2024 – T3 with a final contract cost of \$237,099.11.
- 14. Planning and Development Services Department – Approved – **Res. 24-83**, A request to authorize the City Manager to execute a second amendment to a previously executed consultant agreement between the City of Clovis and Ascent Environmental, Inc., in the amount of \$72,420.00 for the preparation of the Housing Element update and related services.

ITEMS WERE PULLED FOR DISCUSSION

- 6:45 CONSENT ITEM 3 - ADMINISTRATION - APPROVED – ADOPTION OF THE CITY OF CLOVIS AFFORDABLE HOUSING TRUST FUND PROGRAM GUIDELINES.

The above item was pulled by Councilmember Mouanoutoua to provide the staff an opportunity to present the Affordable Housing Trust Fund Program Guidelines. Upon call, there was no public comment.

Motion by Councilmember Mouanoutoua, seconded by Councilmember Bessinger, that the item be approved. Motion carried by unanimous vote.

- 6:55 CONSENT ITEM 4 - ADMINISTRATION - APPROVED - COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SUBRECIPIENT AGREEMENT WITH MARJAREE MASON CENTER FOR \$51,061 IN 2024-2025 CDBG FUNDS; AND AUTHORIZE THE CITY MANAGER TO EXECUTE A CDBG AGREEMENT, AND ANY AMENDMENTS THERETO, FOR THE PROVISION OF SERVICES TO DOMESTIC VIOLENCE SURVIVORS.

The above item was pulled by Mayor Ashbeck to acknowledge and give gratitude to Marjaree Mason Center and the services they provide the City of Clovis. Upon call, there was no public comment.

Motion by Councilmember Bessinger, seconded by Councilmember Basgall, that the item be approved. Motion carried by unanimous vote.

- 6:57 CONSENT ITEM 5 - ADMINISTRATION – RECEIVED AND FILED – ECONOMIC DEVELOPMENT CORPORATION SERVING FRESNO COUNTY QUARTERLY REPORT, APRIL TO JUNE 2024.

The above item was pulled by Mayor Ashbeck to acknowledge the Economic Development corporation team. Upon call, there was no public comment.

Motion by Councilmember Bessinger, seconded by Councilmember Basgall, that the item be approved. Motion carried by unanimous vote.

PUBLIC HEARINGS – 6:58

- 6:58 ITEM 15 - APPROVED VARIOUS ACTIONS RELATED TO A PROPOSED GENERAL TAX BALLOT MEASURE FOR THE NOVEMBER 5, 2024, MUNICIPAL ELECTION:

Trenton McGill, President of the City of Clovis Fire Fighters Association, spoke in support.

Jordan Hunter, President of the Clovis Police Officer Association, spoke in support.

LeDonna Snow, resident, spoke in support.

Eric Rollins, resident, addressed his concerns with the need for accountability and the potential future misuse of the sales tax.

Eugene King, resident, spoke in support.

Bill Scott, resident, addressed his concerns and offered conditional support and requested a freeze on employees' wages.

15A. APPROVED - **RES. 24-84**, CALLING FOR AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE CONSOLIDATED WITH THE REGULARLY SCHEDULED GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, TO PRESENT TO VOTERS A MEASURE TO INCREASE THE SALES AND USE TAX IN THE CITY OF CLOVIS BY ONE PERCENT (1.0%) AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES; REQUESTING CONSOLIDATION THEREOF WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE; REQUESTING THAT THE FRESNO COUNTY BOARD OF SUPERVISORS AUTHORIZE THE FRESNO COUNTY CLERK/REGISTRAR OF VOTERS TO RENDER SPECIFIED SERVICES TO THE CITY OF CLOVIS RELATING TO THE CONDUCT OF THE SPECIAL MUNICIPAL ELECTION; AND APPROVING THE PROPOSED BALLOT MEASURE DESCRIPTION; AND

Motion for approval by Councilmember Basgall, seconded by Councilmember Bessinger.
Motion carried by unanimous vote.

15B. APPROVED INTRODUCTION - **ORD. 24-11**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS ADDING SECTION 3.3.312 TO ARTICLE 3 OF CHAPTER 3.3 OF TITLE 3 OF THE CLOVIS MUNICIPAL CODE PERTAINING TO THE IMPOSITION OF A TRANSACTIONS (SALES) AND USE TAX; AND

Motion for approval by Councilmember Basgall, seconded by Councilmember Bessinger.
Motion carried by unanimous vote.

15C. APPROVED INTRODUCTION - **ORD. 24-12**, (UNCODIFIED) – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS IMPOSING A TRANSACTIONS (SALES) AND USE TAX TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION.

Motion for approval by Councilmember Basgall, seconded by Councilmember Bessinger.
Motion carried by unanimous vote.

ADMINISTRATIVE ITEMS – 7:38

7:38 ITEM 16 - RECEIVED AND FILED – UPDATE ON ADDITIONAL STAKEHOLDER MEETINGS RELATING TO DEVELOPMENT IMPACT FEES FOR FISCAL YEAR 2024-2025.

Greg, Building Industry Associations Member, discussed concerns about high proposed fees, suggested phasing improvements and deferring finance components until a proper cash flow analysis is done.

Arakel Arisian, resident, requested validation of unit numbers, creation of a cash flow analysis, and clear guidelines for implementation.

Darren Rose, President and CEO of the Fresno-Madera Builders Industry Association requested an additional 120-day delay on the financing cost component of the fee proposal to allow for further collaboration between the industry and city staff.

Walter Diamond, Lennar Homes, emphasized the need for an additional 120-days to thoroughly review and collaborate on the financial component.

Daris Assemi, Granville Homes Developer, discussed the proposed 5% interest rate and advocated for an additional 120-day extension to allow for a thorough review and collaboration with the industry and city staff.

Motion by Councilmember Mouanoutoua to postpone the implementation of the financing cost component of the proposed fee and direct staff to work with the industry and bring the item back in 120-days. Motion failed for lack of second.

It was consensus of the Council to take no action and allow the new fees to be become effective on August 12, 2024, and direct staff to continue to work with the industry and report back to council in 120-days.

9:18 ITEM 17 – APPROVED - **RES. 24-85**, AMENDING THE 2024-25 CITY ATTORNEY BUDGET FOR THE GENERAL FUND IN THE AMOUNT OF \$1,765,588 FOR LITIGATION SETTLEMENT COSTS WITH FUNDING FROM THE EMERGENCY RESERVE AND THE PLANNING AND DEVELOPMENT SERVICES FUND.

Upon call, there was no public comment.

Motion for approval by Councilmember Bessinger, seconded by Councilmember Basgall.
Motion carried by unanimous vote.

COUNCIL ITEMS – 9:19

9:19 ITEM 18 - APPROVED– A REQUEST TO SUBMIT A LETTER OF OPPOSITION REGARDING SENATE BILL 7 (BLAKESPEAR), THE HOMELESS HOUSING OBLIGATION ACT.

Eric Rollins, resident, expressed frustration with state government control and regulations and recommended considering a charter city.

Motion for approval by Councilmember Pearce, seconded by Councilmember Bessinger.
Motion carried by unanimous vote.

CITY MANAGER COMMENTS – 9:22

Announced the Youth Commission applications for Sophomores, Juniors, and Seniors is now open. Applications will be accepted through September 6, 2024, and can be found on the City website.

COUNCIL COMMENTS – 9:23

It was the consensus of the council to direct staff to look into the City’s ordinance related to Camping regarding sleeping and camping in public and certain private places.

It was the consensus of the council to direct staff to bring back in a workshop format an explanation of Landscape, Maintenance Districts, how they are funded, and what parts of the City are in and not in an LMD.

CLOSED SESSION – 9:30

ITEM 19 - GOVERNMENT CODE SECTION 54957 PUBLIC EMPLOYEE APPOINTMENT / EMPLOYMENT TITLE: CITY MANAGER

RECONVENE INTO OPEN SESSION AND REPORT FROM CLOSED SESSION – 9:45

No action taken.

ADJOURNMENT

Mayor Ashbeck adjourned the meeting of the Council to August 12, 2024

Meeting adjourned: 9:45 p.m.

Mayor

City Clerk



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Public Utilities Department

DATE: August 12, 2024

SUBJECT: Public Utilities – Approval – Waive Formal Bidding Requirements and Authorize the Purchase of a Custom Crane Truck Body from Douglass Truck Bodies, Inc., for \$162,725.88, Including Tax and Installation.

ATTACHMENTS: None

RECOMMENDATION

For the City Council to approve waiving the City's formal bidding requirements and authorize the purchase of a custom crane truck body from Douglass Truck Bodies, Inc., for \$162,725.88, including tax and installation.

EXECUTIVE SUMMARY

The existing crane truck body is scheduled to be replaced due to its age and condition. The replacement will be installed on the new Ford F-750 chassis that was previously approved for purchase by Council on April 8, 2024. The price of \$162,725.88 was quoted from Douglass Truck Bodies, Inc.

Staff recommends waiving the City's formal bidding requirements as authorized by Clovis Municipal Code Section 2.7.06(a) and section IV.C. of the City's purchasing manual. There is a lack of viable vendors who can meet the required custom truck body upfit specifications. Douglass Truck Bodies, Inc. has met the required specifications. Staff recommends purchasing the custom crane truck body upfit from Douglass Truck Bodies, Inc. No other vendors were able to match the specific custom truck body upfit the Public Utilities Department Water Division requires.

BACKGROUND

The custom crane truck body is available from Douglass Truck Bodies, Inc., and will be manufactured according to Public Utilities Department Water Division needs.

The Fleet Fund includes a vehicle and equipment replacement program where the different divisions within City departments budget for and contribute a set amount of money annually for the future scheduled replacement of a vehicle or piece of equipment. This allows each department, and the divisions within the departments, to financially plan for the large capital

expense of purchasing new vehicles and equipment that need to be replaced due to age, wear and tear, or to meet regulatory requirements. Depending on the condition and need of the vehicle or equipment being replaced, it will be moved from front-line operation and may be kept as a back-up, or it will be auctioned off in the City's vehicle and equipment surplus program.

FISCAL IMPACT

Funds were included in the 2024-2025 Fleet Capital Acquisition budget, often referred to as the Fleet Renewal or Fleet Replacement budget. The Water Division Fleet Renewal account in the Public Utilities Department has accumulated the necessary funds for replacement of the truck body.

REASON FOR RECOMMENDATION

Sufficient replacement funds have been collected, and the existing equipment has been in service for 13 years and is scheduled for replacement. Staff has evaluated the available truck bodies, and the custom crane truck body meets the needs of the Public Utilities Department Water Division. The proposed method of purchasing the equipment is cost-effective and sufficient funds are available.

ACTIONS FOLLOWING APPROVAL

Purchase orders will be prepared for the City Manager's approval and sent to the vendor.

CONFLICT OF INTEREST

None.

Prepared by: Jim Stringfield, Fleet Manager

Reviewed by: City Manager *AA*



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Public Utilities Department

DATE: August 12, 2024

SUBJECT: Public Utilities – Approval – Waive Formal Bidding Requirements and Authorize the Purchase of a Bomb Disposal Truck from Braun Northwest for \$462,874.23 and a Bomb Disposal Trailer from Hurd’s Custom Machinery for \$77,794.08 Using the HGAC Purchasing Contract.

ATTACHMENTS: None

RECOMMENDATION

For the City Council to waive the City’s formal bidding requirements and authorize the purchase of a bomb disposal truck from Braun Northwest for \$462,874.23, including tax, freight, and fees, and the purchase of a bomb disposal trailer from Hurd’s Custom Machinery for \$77,794.08, including tax, freight, and fees.

EXECUTIVE SUMMARY

There are funds in this year’s Fleet Renewal budget for the purchase of a bomb disposal truck Model 222-5 from Braun Northwest and a bomb disposal trailer Model 300 M-5 from Hurd’s Custom Machinery for the Police Department. The existing vehicle and trailer are scheduled to be replaced due to their age. The bomb disposal truck competitively bid contract price of \$462,874.23 is from Braun Northwest and the bomb disposal trailer bid price is \$77,794.08 from Hurd’s Custom Machinery, using the HGAC Cooperative Purchasing Contract.

HGAC’s Cooperative Purchasing Program, known as HGACBuy, was established pursuant to the Texas Interlocal Cooperation Act (Texas Local Government Code, Title 7, Chapter 791). The Act allows local governments and certain non-profits to contract or agree under the terms of the Act to make purchases or provide purchasing services and other administrative functions appropriately established by another government entity. The Interlocal Contract (ILC) is the required legal document that establishes a link between the member (local governments and certain non-profits) and HGACBuy, and gives the member access to HGACBuy contracts. HGAC has established interlocal contracts with thousands of members across the United States.

BACKGROUND

The recommended equipment is available through the HGAC Cooperative Purchasing Contract that allows for manufacturers to respond to a Request for Proposals (RFP) that covers a large

group of government buyers, and it allows a large group of government buyers with similar interests to leverage their buying power to obtain government-only discounts on products.

The Fleet Fund includes a vehicle and equipment replacement program where the different divisions within City departments budget for and contribute a set amount of money annually for the future scheduled replacement of a vehicle or piece of equipment. This allows each department, and the divisions within the departments, to financially plan for the large capital expense of purchasing new vehicles and equipment that need to be replaced due to age, wear and tear, or to meet regulatory requirements. Depending on the condition and need of the vehicle or equipment being replaced, it will be moved from front-line operation and may be kept as a back-up, or it will be auctioned off in the City's vehicle and equipment surplus program.

FISCAL IMPACT

Funds were included in the 2024-2025 Fleet Capital Acquisition budget, often referred to as the Fleet Renewal or Fleet Replacement budget. The Police Department has accumulated the necessary funds for the purchase of the new equipment.

REASON FOR RECOMMENDATION

The existing bomb disposal truck and trailer have been in service for over 30 years. Sufficient funds have been collected for replacement equipment. Staff has evaluated the available equipment and have determined that it meets the needs of the Police Department. The proposed method of purchasing the equipment is cost-effective and funds are available.

ACTIONS FOLLOWING APPROVAL

Purchase orders will be prepared for the City Manager's approval and sent to the vendors.

CONFLICT OF INTEREST

None.

Prepared by: Jim Stringfield, Fleet Manager

Reviewed by: City Manager *AA*



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Public Utilities Department

DATE: August 12, 2024

SUBJECT: Public Utilities – Approval – Final Acceptance for CIP 23-16, Gould Canal Trail Improvements, with a Final Contract Cost of \$164,589.03.

ATTACHMENTS: 1. Vicinity Map
2. Project Photos

RECOMMENDATION

For the City Council to accept the work performed as complete and authorize the recording of the notice of completion for this project.

EXECUTIVE SUMMARY

Staff is recommending that Council accept the work performed by Eslick Construction, Inc., and authorize the recording of the notice of completion.

This project involved the installation of entry features and pedestrian-friendly improvements along the Gould Canal between Peach and Minnewawa Avenues near Ashlan Avenue. The work consisted of installation of a gateway monument, masonry wall, concrete drive approaches, curb and gutter, sidewalk, a concrete pedestal for the Helm Ranch sign, trail bench and trash receptacle, fence improvements, and irrigation modifications (see attached photo exhibit).

Staff is working to schedule a small ribbon cutting event with representatives from the Fresno Irrigation District (FID) in late September or early October. This event is expected to celebrate the City's partnership with FID and the use of the Master Trails Agreement (MTA) in allowing for FID canal banks to be used as informal trails.

BACKGROUND

This project is intended to enhance pedestrian access and encourage the use of the existing Gould Canal bank as an informal trail under the newly established Master Trails Agreement (MTA). The MTA is a mutually beneficial agreement between the City of Clovis and Fresno Irrigation District (FID) which allows for existing canal banks within the City of Clovis to be used as informal trails. This is the first project completed under the MTA.

The project was awarded by the City Council to Eslick Construction, Inc., on April 8, 2024. The project was completed in accordance with the construction documents and the contractor has submitted a request for acceptance of the project.

FISCAL IMPACT

1. Award	\$155,348.00
2. Contract Change Order	\$9,241.03
3. Liquidated Damages	<u> \$0.00</u>
Final Contract Cost	\$164,589.03

The fiscal year 2024-2025 budget and the Community Development Block Grant (CDBG) includes sufficient funds for all the project costs, including the project contract change order.

REASON FOR RECOMMENDATION

The Public Utilities Department, the City Engineer, the Engineering Inspector, and the Project Engineer agree that the work performed by the contractor is in accordance with the project plans and specifications and has been deemed acceptable. The contractor, Eslick Construction, Inc., has requested final acceptance from City Council.

ACTIONS FOLLOWING APPROVAL

1. The Notice of Completion will be recorded; and
2. All remaining retention funds will be released no later than 35 calendar days following recordation of the notice of completion, provided no liens have been filed. Retention funds may be released within 60 days after the date of completion, provided no liens have been filed, with “completion” defined as the earlier of either: (a) beneficial use and occupancy and cessation of labor, or (b) acceptance by the City Council per Public Contract Code Section 7107(c)(2).

CONFLICT OF INTEREST

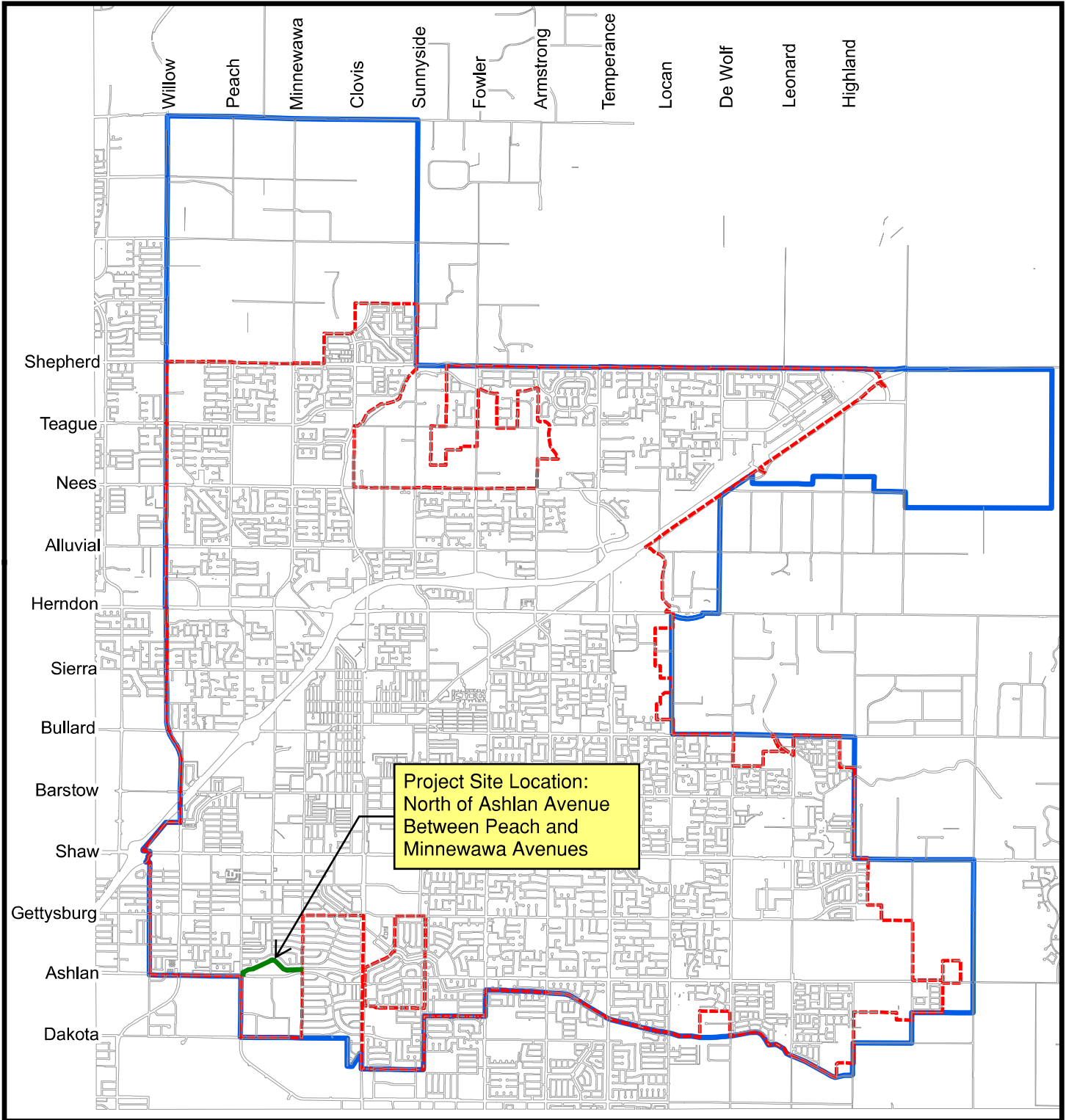
None.

Prepared by: Sarai Yanovsky, Civil Engineer

Reviewed by: City Manager *AA*

VICINITY MAP

CIP 23-16 Gould Canal Trail Improvements



Project Site Location:
 North of Ashlan Avenue
 Between Peach and
 Minnewawa Avenues



ATTACHMENT 1





Close-up photo of Helm Ranch sign on concrete stand





Gateway structure at Helm Ranch Park



CITY of CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Planning and Development Services

DATE: August 12, 2024

SUBJECT: Consider Approval - Res. 24-____, CUP2024-003 Appeal. A request to consider an appeal of the Planning Commission's approval of CUP2024-003 for an 18-bed congregate care facility for the properties located at 2901 and 2939 Armstrong Avenue. Cheryl Nelson, owner; ARK Congregate Living – Fresno, LLC, applicant, and Orlando Ramirez, representative.

Staff: Marissa Jensen, Assistant Planner

Recommendation: Uphold the Planning Commission's approval

ATTACHMENTS:

1. Res. 24-____, CUP2024-003
2. Conceptual Site Plan, Floor Plans & Elevations
3. Applicant's Operational Statement
4. Correspondence from Commenting Agencies
5. July 9, 2024 Letter from Clovis Police Department
6. July 18, 2024 Letter from Clovis Fire Department
7. July 26, 2024 Letter of Opposition

RECOMMENDATION

Staff recommends that the City Council uphold the Planning Commission's approval of Conditional Use Permit (CUP) 2024-003.

EXECUTIVE SUMMARY

The Planning Commission approved CUP2024-003 at its June 27, 2024, meeting. The conditional use permit (CUP) approval was to allow the construction and operation of an 18-bed congregate care facility located at 2901 and 2939 Armstrong Avenue ("Project"), see **Figure 1**. The congregate care facility includes a ±6,000 square foot single-story building, consisting of 12 units/rooms that will accommodate up to 18 residents, as shown in **Attachment 2**. The proposed facility offers a reception space, common area, administrative office, shower/kitchen facilities, and 11 parking spaces for staff and visitors. At its July 1, 2024 meeting, the Council voted to appeal the Commission's decision approving CUP2024-003, following concerns raised by neighbors. Following the Planning Commission hearing on the Project, the applicant has

modified some of the building and site features to address some of the concerns identified by the neighboring property owners.

FIGURE 1 Project Location



BACKGROUND

- General Plan Designation: L (Low Density Residential)
- Existing Zoning: R-1-C (Single Family Residential)
- Lot Size: ±23,745 sq. ft (±0.55 acres)
- Current Land Use: Vacant
- Adjacent Land Uses:
 - North: Single Family Residential
 - South: Single Family Residential
 - East: Single Family Residential
 - West: Single Family Residential
- Previous Entitlements: R91-04, TM5576

The subject properties were originally created through Tract Map (TM) 5576, as Lots 42 and 43. TM5576 established a 43-lot single-family residential subdivision. The Project site has remained

vacant since approval of the Map in 2005. Both properties have access to Armstrong Avenue and make up ±0.55 acres. Surrounding properties are single-family residential. If the Planning Commission's approval is upheld, the applicant will move forward with a parcel map exemption to merge the two lots, by removing the existing dividing parcel line between the two parcels.

The applicant submitted the CUP application on April 3, 2024, and it was assigned project number CUP2024-003. The CUP was brought before the Planning Commission for consideration at its June 27, 2024, meeting. Following staff's presentation, nine (9) neighbors spoke in opposition of the project. The Planning Commission deliberated and ultimately approved CUP2024-003 by a vote of 4-0, with Commissioner Hebert absent.

Consideration of the Appeal

The City Council voted to appeal the Planning Commission's approval of the Project per Section 9.90.020 C. of the CMC. When an appeal is considered, the appeal hearing is considered a new hearing and the Council may consider any issue(s) associated with the appeal, in addition to the specific grounds for the appeal. Per the CMC, when reviewing an appeal, the Council may:

- a. By resolution, affirm, affirm in part, or reverse the action, the determination, or decision that is the subject of the appeal;
- b. Adopt additional conditions of approval deemed reasonable and necessary, and may even address issues or concerns that go beyond the subject of the appeal; or
- c. Disapprove the permit or approval granted by the previous review authority, even though the appellant only requested a modification or elimination of one or more conditions of approval.

If new or different evidence is presented on appeal, the Council may, but shall not be required to, refer the matter to the Commission, as applicable, for further consideration.

PROPOSAL AND ANALYSIS

Congregate Care Facility Use

In 2017, the City Council approved Ordinance Amendment 2017-01, adding "extended medical care facilities" to the definition of use classification "*Medical Services – Extended Care*" and providing for this use within all residential zone districts with an approved conditional use permit. The Clovis Municipal Code (CMC) defines Medical Services – Extended Care as "Residential facilities providing nursing and health-related care as a principal use with in-patient beds, including: skilled nursing facilities (facilities allowing care for physically or mentally disabled persons, where care is less than that provided by an acute care facility); board and care homes; convalescent and rest homes; extended medical care facilities; and extended care facilities". The proposed congregate care facility meets the definition in place for extended medical care facilities. This use requires a CUP per CMC section 9.10.020.

Existing Site and Surrounding Area

The Project is located on a ±0.55-acre site near the southeast area of Gettysburg and Armstrong Avenues. The Project site is surrounded by single-family residential developments to the north, south, east, and west (on the west side of Armstrong Avenue). The facility will be designed to reflect residential character by utilizing typical materials and building form (height, roof-lines, building setbacks, etc.) that are consistent with existing residences in the area. In addition, adequate separation from other residences, open space, and enhanced landscape will ensure that the Project does not create negative impacts to the existing land uses in the area.

Project Operations

Per the applicant's operational statement (see **Attachment 3**), the proposed Project will offer individuals in the community a residential housing facility where medical care and assistance will be provided by rotating, professional staff, who do not live on-site. The facility will be licensed through the State of California and will adhere to all operational and site maintenance requirements imposed by the State. The facility intends to operate as a medical facility where staff will provide residents services such as, but not limited to, medical supervision, skilled nursing, provision of medication, on-site dialysis treatment, and dietary regimens. The facility will provide long-term care for residents with chronic illnesses or disabilities that generally require a minimum stay of eighteen (18) months or longer.

The congregate care facility proposes to operate 24-hours a day, seven (7) days a week. The facility will allow visitation by family members and friends of the residents. Although the initial operational statement provided by the applicant indicated three (3) to five (5) employees on-site at any given time, the applicant confirmed that only two (2) to three (3) employees will be on-site at a time and provided an updated operational statement. Employees will work in 12-hour shifts and rotate to provide 24-hour care to residents.

Proposed Site Layout

Figure 2a showcases the up-to-date proposed site layout which includes a ±6,000 square foot building and circular driveway located off Armstrong Avenue, as well as the previous site layout. **Figure 2b** includes the original layout presented to the Planning Commission, before adjustments were made. The entry to the facility is located on the west side of the property. Parking stalls are proposed along the south and west sides of the building. Along the southwest edge of the site, a trash enclosure is proposed to allow for refuse pick up. The applicant worked with Engineering staff to find an ideal location for the enclosure that will also not affect the surrounding property owners. Additionally, the facility provides a seating area with a trellis and landscape area to provide an outdoor space for residents and visitors, along with separation from adjacent properties. A block wall will be provided along the north, south and east property lines. This is a requirement adopted by the Planning Commission as a condition of approval for CUP2024-003.

The applicant made some modifications to the site layout in an effort to address some of the concerns expressed by neighbors. This includes the addition of parking stalls beyond the required amount identified by the city's code, and the relocation of the trash enclosure.

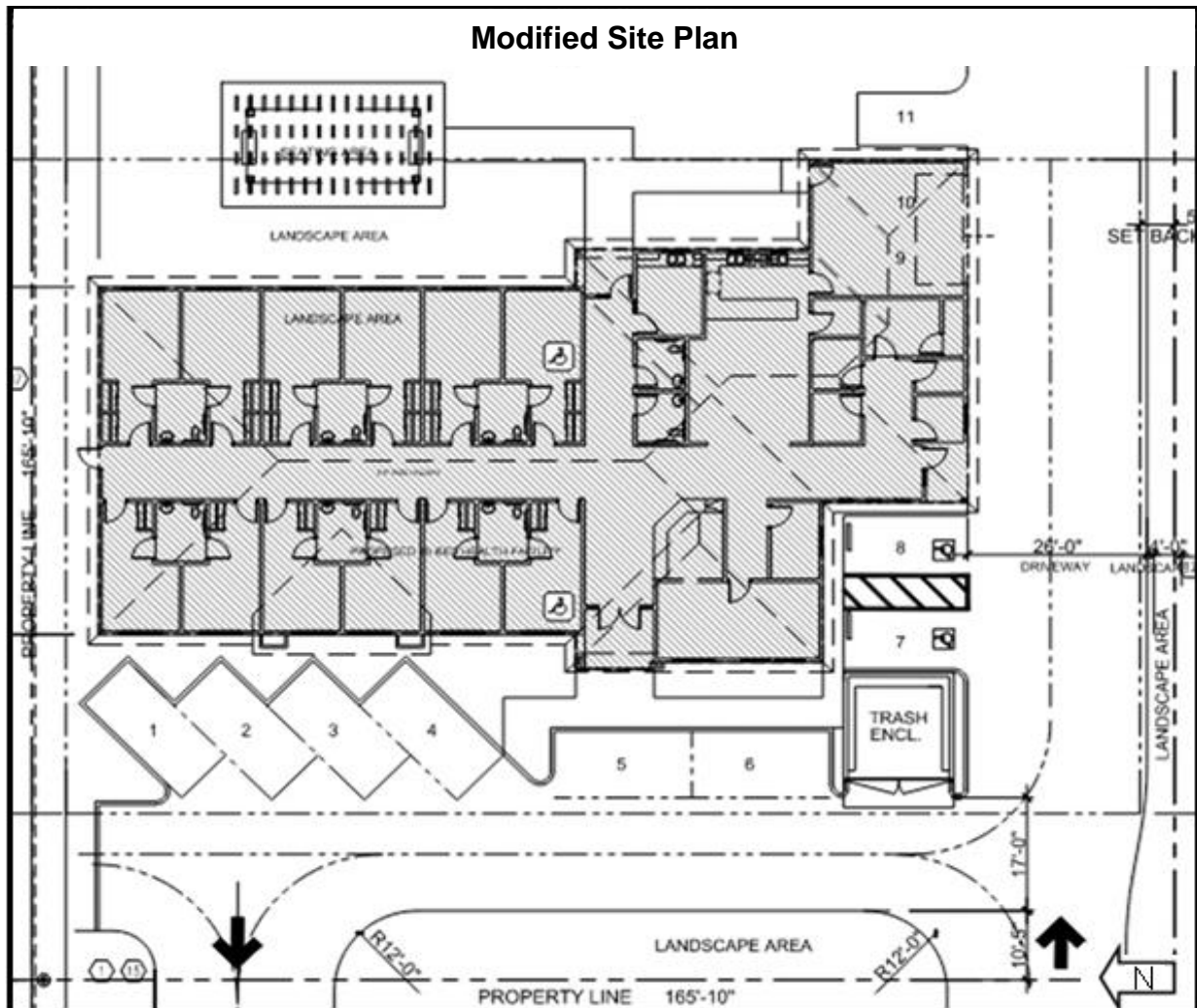
Development Standards

The Project will follow the required development standards under the R-1-C Zone District. These standards include a minimum 25-foot front yard setback to the building, 5-foot side yard setback with an aggregate of 14 feet minimum, and a 20-foot rear yard setback. The building height will not exceed the maximum building height of 35 feet. The facility will be designed to appear as a single-family residential home with enhanced landscaping and architectural treatments along the street frontage. With this design, the proposed facility will be compatible with the surrounding residences.

Access & Circulation

The Project will maintain the general circulation pattern existing for the sites by retaining ingress/egress from Armstrong Avenue. Access to the site is proposed with a one-way circular driveway from Armstrong Avenue. This design is consistent with existing residences along Armstrong Avenue and will limit vehicles needing to back onto the street. The Engineering Division has reviewed the proposal and offers no concerns regarding circulation or access to/from the site.

FIGURE 2a Site Layout



Similar Facilities

Throughout the City, ten (10) congregate care facilities offering seven (7) or more beds have been approved by the Planning Commission through the CUP process. Each of these facilities were held to residential development standards. The facilities were designed and conditioned as part of their respective CUPs to incorporate architectural features similar to the surrounding neighborhood. The facilities mentioned below have similar operating characteristics to this Project and are defined under the “*Medical Services – Extended Care*” classification. Additionally, the Clovis Police and Fire Departments have reviewed the number of calls for the specific locations and have no concerns with the operations of these facilities.

- Most recently, two (2) facilities were approved adjacent to each other near Locan and Shepherd Avenues in 2021. CUP2021-013 was approved for 1817 N. Locan Avenue and CUP2021-014 was approved for 3019 Powers Avenue. Each of these one-story facilities provide 10 beds and ±4,603 square foot buildings.
- In 2016, a single-story, ±12,700, 18-bed facility was approved through CUP2016-04 for the property located at 250 Villa Avenue.
- An 18-bed, ±10,500 square foot, single-story facility was approved at 648 W. Sierra Avenue through CUP2016-10 in 2017.

Planning Commission Meeting

CUP2024-003 was brought before the Planning Commission for consideration at its June 27, 2024, meeting. The Planning Commission considered the project and comments made from the public. The applicant spoke in support of the project and provided background regarding the proposal. Discussion from the Planning Commission expressed support for the project and the positive impact it will have on the surrounding area. The Planning Commission ultimately approved CUP2024-003 by a vote of 4-0, with Commissioner Hebert absent.

A total of nine (9) neighbors spoke in opposition of the project. Comments received from the neighbors primarily addressed concerns with privacy, a potential increase in traffic congestion, parking, noise, calls for service, and other items associated with a deviation from typical single-family development. Following, the Planning Commission hearing, the applicant revised the site layout to address some of the concerns of the neighbors. Information regarding the neighbors’ areas of concern is listed below together with staff analysis of each point.

- *Privacy* - Neighbors expressed concerns regarding privacy along the north, south, and east property lines.

Analysis: The applicant is proposing a one-story home situated within the buildable envelope required by the zone district including a block wall and landscaping for additional privacy and separation from neighboring residences. A six foot (6’) tall block wall was included in the conditions of approval adopted by the Planning Commission. Wall details will be reviewed through the site plan review process. While some neighbors have requested that a 7’ or 8’ tall wall be provided, there are no physical or operational features associated with the congregate care facility that would

necessitate a taller wall. Additionally, there are no windows facing the north property line (the area closest to an existing residence).

- *Traffic – Neighbors have cited concerns regarding additional project-related traffic.*

Analysis: The Project site is located along Armstrong Avenue, which is designated as a Collector Road per the General Plan. Based on the orientation of the site, access will occur exclusively from Armstrong Avenue. The project was designed to avoid access into the existing neighborhood to the east, and a circular driveway will be provided to avoid vehicles backing out onto Armstrong Avenue. The Engineering Division reviewed the project and determined that based on the low traffic volumes associated with the Project, it will not substantially affect an intersection or roadway segment already identified as operating at an acceptable level of service.

- *Parking – Neighbors have described concerns regarding inadequate parking being provided, particularly in comparison to other health-care facilities.*

Analysis: Per the CMC, care facilities with extended medical care require one (1) parking space for each five (5) beds. Based on this requirement, four (4) parking stalls are required. The initial site layout provided six (6) parking stalls. However, because of concerns from neighbors regarding an inadequate number of parking stalls provided, the applicant updated the site plan to provide eleven (11) parking stalls, two (2) of which are within a covered garage. In addition, the Engineering Division has confirmed Armstrong Avenue allows on-street parking, if needed by the facility. Based on the operational features of the Project, patients do not come and go from the site and family members (or the general public) visiting patients tend to be infrequent. The proposed parking exceeds the requirements of the municipal code and will be adequate to accommodate in-house staff, rotating specialty caregivers, and occasional visitors.

- *Trash Enclosure – Concern regarding the original location of the trash enclosure was cited due to its close proximity to the home located north of the Project site.*

Analysis: The trash enclosure has been relocated further from adjacent properties. The new location of the trash enclosure has been approved by the Solid Waste and Engineering Divisions.

- *Noise - Neighbors expressed concerns related to noise levels being elevated with this facility, disrupting residential norms.*

Analysis: Similar care facilities exist throughout Clovis and there is no evidence that excessive noise is generated from these facilities or that noise levels will be above ambient noise in the neighborhood. Additionally, noise generated from calls for medical services for these facilities are minimal as confirmed by the number of calls for service provided by the Fire Department (**Attachment 6**). The CMC provides standards that will be applied should any noise nuisances occur from the site.

- *Calls for Service* - Comments were made related to the increase of nuisances resulting from the calls for service from the facility.

Analysis: Letters were provided from the Clovis Police Department (**Attachment 5**) and the Clovis Fire Department (**Attachment 6**) providing information about typical calls for service for similar facilities within the City. In 2023, there were six (6) calls for medical service for an existing facility in Clovis, another facility had four (4) calls related to medical service needs. Neither department expressed concerns regarding this use and its proposed location. Calls are not generally received at increased levels and City services are not typically misused with congregate care facilities. Both departments have also provided conditions as part of this CUP to ensure safety for residents and staff of the proposed facility. To the extent that emergency services are occasionally necessary, the configuration of the property ensures that public safety personnel and vehicles access the site from Armstrong and access within the internal neighborhood streets is not required.

- *Light & Glare* - Some neighbors had concerns about light and glare coming from the proposed facility.

Analysis: All lighting proposed is typical of that utilized in conjunction with single-family residences. Additionally, the CMC requires that all lights on the site shall be directed away from residential properties and not interfere with the safety of vehicular traffic, in accordance with the residential lighting standards. Details are reviewed through the site plan review process.

- *Aesthetics* - Several neighbors argued that the proposed building is out of character with the residential neighborhood.

Analysis: The proposed building has been designed to fit the characteristics of a residential home and is fitting in a residential neighborhood. The architectural design of the ±6,000 sq. ft. congregate care facility will resemble a custom-built home with enhanced architectural treatments and landscaping along the front elevation. Architectural elements included in the proposed design which are common in the surrounding neighborhood included single story construction, hip and gable roof lines, wood trim/fascia, composite roofing, stucco finish, trimmed windows, etc. Some comments had observed that a “store-front” glass door and window feature originally proposed at the main entry was inconsistent with the residential nature of the area. The applicant has confirmed that final design will replace that glass entry with a standard residential double door that is more common to the area. The site plan review process will ensure that these elements are carried out.

While an evaluation of the neighborhood confirms that the proposed congregate care building is larger than other homes in the general area, the existing lot is approximately twice as large as other lots in the area. The proposed layout is consistent with the applicable standards for lot coverage, building setbacks, and height. No special accommodations or reductions to development standards are proposed in conjunction

with the congregate care facility. The CMC does not include any limitation on building a home, regardless of size, when in conformance with these standards.

- *Potential Future Change of Use* - Neighbors are concerned that this facility could turn into a drug rehab facility in the future, which would be detrimental to their neighborhood.

Analysis: Staff confirmed that this CUP is only considering the use of an 18-bed congregate care home that operates in accordance with the use classification of “*Medical Services – Extended Care*” as described above, under the *Background* section. The conditions of approval adopted by the Planning Commission specify that any future change of use will require the Planning Commission’s consideration of an amendment to this CUP.

FISCAL IMPACT

None.

REASON FOR RECOMMENDATION

In consideration of the information provided in this report, staff continues to support the Planning Commission’s approval of CUP2024-003. The Project is consistent with the goals and policies of the General Plan, and the CMC. The physical building proposed in conjunction with the application meets the standards of the existing zone district. Based on the operational characteristics of the Project and an evaluation of similar, previously approved facilities, no substantive concerns have been identified by City departments, including but not limited to Police and Fire. Based on this information and the following findings, Planning Staff recommends that the City Council uphold the Planning Commission’s decision to approve CUP2024-003.

Conditional Use Permit 2024-003

The findings to consider when making a decision on a CUP application include:

1. The proposed use is conditionally allowed within, and would not impair the integrity and character of, the subject zoning district and is in compliance with all of the applicable provisions of the Development Code.
Congregate care facilities with extended medical care are allowed within the existing R-1-C Zone District with an approved conditional use permit. The Project will be in compliance with applicable provisions and development standards of the Zone District, including, but not limited to, building height, setbacks, lot coverage, and parking, and will be subject to the conditions of approval imposed on it. As the Project is surrounded by residences, the Project’s building style has been designed to emulate the architecture and form of residences. This includes replicating the building materials and design elements found in the surrounding residential neighborhood. Therefore, the addition of this Project would not impair the characteristics of the neighborhood. This Project will undergo site plan review (SPR) to further ensure that the site layout and development standards are met. During the SPR review, the height, setbacks, parking standards, and aesthetics will be reviewed to ensure that applicable standards are met. The facility will be required to operate in conformance with all city and state standards, regarding noise levels, hours of operation and visitation, licensing, etc.

2. The proposed use is consistent with the General Plan and any applicable Specific Plan.

This Project is consistent with the 2014 Clovis General Plan. The underlying General Plan land use designation of Low Density Residential would remain unchanged, and the proposed use is acceptable within the underlying General Plan land use designation of Low Density Residential, according to the 2014 Clovis General Plan.

3. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses and would not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other allowed uses operating nearby or adverse to the public interest, health, safety, convenience, or welfare of the City.

The Project is compatible with the existing uses and will complement the single-family residential homes in the vicinity. The Project will provide a noninstitutional, residential appearance and environment; therefore, the congregate living health facility will not be out of the ordinary as it relates to the character of the surrounding area. Refer to Finding number 1. Further, the Project will maintain the general circulation pattern existing for the site by retaining primary ingress/egress from Armstrong Avenue. Calls for services related to similar facilities have not been an issue and neither the Police nor Fire Department have any concerns related to this Project.

4. The subject parcel is physically suitable in size and shape for the type and density/intensity of use being proposed.

The proposed development has undergone scrutiny through the City's preliminary application process (Development Review Committee), confirming the site's physical suitability for accommodating the proposed project. More formally, a thorough review and routing of the application, determined the Project will occupy and operate within the existing site that is physically suitable in size, residential design, and has the infrastructure in place to support it. Refer to Findings 1 and 3. The Project will be required to comply with all conditions from Public Utilities and Engineering, which will further ensure the site is suitable for the proposed use. Site specific details will be evaluated through the site plan review process.

5. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

As mentioned above, the Project has been reviewed twice, once preliminarily through the Development Review Committee, and again through the formal routing and review of the Project, which confirmed that there are adequate provisions in place to serve the property that would not be detrimental to public health or safety. Physical access and access to public utilities and services are available to the site and are not expected to exceed the demand that would otherwise be generated by development

of the site in a manner and intensity commensurate with its size. **Attachment 2** presents a conceptual depiction of the proposed development. Further evaluation will occur through the site plan review process to ensure compliance with all development standards. While minor adjustments to the site plan and elevations may be necessary during this review, they are not anticipated to impede the developability of the site itself.

6. The proposed Project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and there would be no potential significant negative effects upon environmental quality and natural resources that would not be properly mitigated and monitored, unless findings are made in compliance with CEQA.

The Class 32 categorical exemption exempts projects that satisfy the following criteria: (a) the Project is consistent with the applicable land use designation, General Plan policies, and zoning; (b) is located within city limits on a project site of no more than five (5) acres substantially surrounded with urban uses; (c) is located on a site with no value as habitat for endangered, rare, or threatened species; (d) would not result in significant effects relating to traffic, noise, air quality, and water quality; and (e) is located on a site that can be adequately served by all utilities. The exceptions identified in Section 15300.2 identify further review of an exemption by the project's potential to result in a cumulative impact, significant effect, proximity to a scenic highway, location on or within the vicinity of a hazardous waste site, and/or the potential to negatively impact a historical resource. Based on staff's review, these exceptions would not be triggered by the proposed Project. The Project is determined to be categorically exempt.

ACTIONS FOLLOWING APPROVAL

If approved, the Project will continue with a site plan review and parcel map exemption.

CONFLICT OF INTEREST

Mayor Ashbeck owns real property within 1,000 feet of the project site.

Prepared by: Marissa Jensen, Assistant Planner

Reviewed by: City Manager *JA*

RESOLUTION 24-____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVIS UPHOLDING THE
PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT 2024-003
FOR AN 18-BED CONGREGATE CARE FACILITY LOCATED AT
2901 AND 2939 ARMSTRONG AVENUE**

WHEREAS, ARK Congregate Living – Fresno, LLC, (Applicant), 3245 Keats Avenue, Clovis, CA, 93619, and Orlando Ramirez (Representative), 4233 Wathen Avenue, Fresno, CA, 93722, applied for Conditional Use Permit (CUP) 2024-003 for an 18-bed congregate care facility on ±0.55-acres of property located at 2901 and 2939 Armstrong Avenue in the City of Clovis (Project); and

WHEREAS, the Planning Commission considered and voted 4-0, with Commissioner Hebert absent, to approve Conditional Use Permit 2024-003 and the CEQA analysis outlined in the staff report provided for its June 27, 2024 meeting and determined the Project meets the requirements of a Class 32 (Infill Development) Categorical Exemption pursuant to CEQA Guidelines Section 15332 on June 27, 2024; and

WHEREAS, the City Council voted 4-0, with Mayor Ashbeck abstaining, to appeal the Planning Commission's approval of CUP2024-003 at its July 1, 2024 meeting; and

WHEREAS, the City published notice of the public hearing in the Fresno Business Journal on Friday, July 26, 2024, mailed public notices to property owners within 300 feet of the Project site more than ten (10) days prior to the City Council hearing, and otherwise posted notice of the public hearing according to applicable law; and

WHEREAS, the City Council held a noticed public hearing on August 12, 2024, to consider the Project; and

WHEREAS, the City Council has reviewed the record of proceedings as reflected in the August 12, 2024, staff report, which includes additional information presented to the City Council during the appeal; and

WHEREAS, the City Council has had an opportunity to review and consider the entire administrative record relating to the Project, which is on file with the Department, and reviewed and considered those portions of the administrative record determined to be necessary to make an informed decision, including, but not necessarily limited to, the staff report, the written materials submitted with the request, and the verbal and written testimony and other evidence presented during the public hearing, and the conditions of approval attached hereto as **Attachment A** to this Resolution, which are incorporated herein by this reference ("Administrative Record").

NOW, THEREFORE, BE IT RESOLVED, by the City of Clovis as follows:

1. The Project satisfies the required findings for approval of a conditional use permit, as follows:

- a. The proposed use is conditionally allowed within, and would not impair the integrity and character of, the subject zoning district and is in compliance with all of the applicable provisions of this Development Code.
 - b. The proposed use is consistent with the General Plan and any applicable specific plan.
 - c. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses and would not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other allowed uses operating nearby or adverse to the public interest, health, safety, convenience, or welfare of the City.
 - d. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.
 - e. The subject parcel is physically suitable in size and shape for the type and density/intensity of use being proposed.
 - f. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA).
2. The City Council finds that the Project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15332 (Class 32 – Infill Development).
 3. The Planning Commission’s approval of CUP2024-003 for the reasons expressed during the public hearing as further set forth in the administrative record.
 4. The basis for the findings is detailed in the August 12, 2024, staff report and the staff report addendum, which are hereby incorporated by reference, the entire Administrative Record, as well as the evidence and comments presented during the public hearing.

* * * * *

The foregoing resolution was introduced and adopted at a regular meeting of the City Council of the City of Clovis held on August 12, 2024, by the following vote, to wit.

AYES:
NOES:
ABSENT:
ABSTAIN:

DATED: August 12, 2024

Mayor

City Clerk

**CONDITIONS OF APPROVAL
CUP2024-003**

**PLANNING DIVISION CONDITIONS
(Marissa Jensen, Division Representative – (559) 324-2338)**

1. This conditional use permit approval allows for the construction and operation of an 18-bed congregate care facility for the properties located at 2901 and 2939 Armstrong Avenue.
2. This conditional use permit is not transferable to another location.
3. This conditional use permit does not permit or otherwise allow for the operation of the site and/or uses other than explicitly described in the accompanying staff report.
4. A separate site plan review (SPR) and approval shall be required prior to the construction of any structures and/or prior to any site modifications and shall comply with development standards prescribed for the L (Low Density Residential) land use designation, R-1-C (Single Family Residential) zone district, and other applicable standards as determined by the Planning Division during the SPR review process.
5. A parcel map exemption (PME) and approval shall be required prior to the construction of any structures and/or prior to any site modifications to merge the two lots, by removing the existing dividing parcel line between the two parcels.
6. Install and maintain a minimum 6-foot-high masonry block wall along the northern and eastern property lines.
7. The site and its exterior shall remain maintained and free from debris and trash. This includes no outdoor stacking of empty crates, boxes, and/or pallets along the exterior of the structures.
8. There shall be no outside storage of materials, supplies, or equipment in any area of the site except inside a closed building or behind a six (6'-0") foot visual barrier intended to screen such area from view of adjoining properties and from the street.
9. All lighting associated with this use shall be screened from direct view from the public right-of-way and adjacent residential properties.
10. The applicant shall make provisions for refuse service in an approved refuse container(s) on the subject property.
11. The applicant shall operate in a manner that complies with the Clovis Municipal Code so that it does not generate noise, odor, or vibration that adversely affects any adjacent properties.
12. Operational noise from the Project shall conform with the Clovis General Plan noise standards and not be in excess of 65 decibels to the outside of any residential structure nor 45 decibels to the interior of any structure.

13. There shall be no public address (PA) system, phone ringing, or music system used that may be heard on the exterior of the building/ facility.
14. The applicant shall consult with the City of Clovis Building Division on any building code requirements. All conditions of this Conditional Use Permit shall be addressed prior to operation of the facility.
15. Any future request to expand and/or modify the use shall be subject to an amendment to the CUP.
16. An abandonment or cessation of this use for a period exceeding 90 days shall cause this approval to be scheduled for revocation.
17. All parking of employees and visitors shall occur on-site.

18. Parking shall be provided as required in Table 3-12 of the CMC:

- | | |
|--------------------------------|-----------------------------------|
| • Approved Use of Building | Congregate Living Health Facility |
| • Minimum Parking Requirements | 1 space for each 5 beds |
| • Minimum Parking Required | 4 parking spaces |
| • Minimum Parking Provided | 6 parking spaces |

Minimum Parking Dimensions:

- Open and guest parking – 10 ft. x 20 ft.
- Covered Parking – 10 ft. x 20 ft.

19. Applicant must have on file a current City of Clovis Business License prior to conducting business.
20. CUP2024-003 may be reviewed at any time for compliance with the conditions of approval. Clovis Planning staff may conduct a review of the use in regard to conditions of approval and may present findings of this review to the Planning Commission.

POLICE DEPARTMENT COMMENTS

(Michael Sweeten, Police Department Representative – (559) 324-3494)
 (Sean O’Brien, Police Department Representative – (559) 324-3468)

21. Visible security cameras shall be placed, at a minimum, to provide coverage of the main lobby, all entry and exit points, and any secure areas that house controlled substances, such as narcotics and prescription medications.
22. Security camera footage shall be made available to the Clovis Police Department upon request in conjunction with a criminal investigation. Security footage shall be retained for a period of 30 days.

23. If gated, restricted vehicle and pedestrian entrances to the property shall be accessible to emergency responders. This may be accomplished by installing keyed lockboxes according to City standards and/or providing keys and/or access codes to public safety departments.
24. "No trespassing" signs shall be posted at the main entrances of the complex and a "no trespassing" letter shall be signed by a responsible party and maintained on file with the Clovis Police Department which needs to be updated every twelve (12) months.
25. A manager/assistant manager or other responsible party of the property must be available at the property 24 hours a day, 7 days a week to provide access to emergency personnel in case of an emergency. Emergency phone numbers for managers/assistant managers or responsible persons shall be provided to the Clovis Police Department Dispatch Center and other public safety departments. Emergency phone numbers shall always be kept current, both during and after the building phase of the project.
26. If any portion of the property is alarmed, a 24-hour responsible party with name and contact information shall be maintained with the Clovis Police Department.
27. The property must be maintained and cared for a manner that increased public safety and in compliance with the Clovis Municipal Code, including but not limited to all lighting, gates and fences shall be maintained and in good working order, and landscaping shall be kept clean and free of debris and other hazards.
28. The sidewalks and parking lots shall be reasonably illuminated to enhance public safety and deter criminal activity. The lighting shall be shielded/contained in a manner that it does not create a nuisance for neighboring properties.
29. The site owner shall maintain all structures and adjoining fences/walls and keep them free of graffiti. All forms of graffiti shall be removed within 48 hours.
30. The property owner and responsible parties shall adhere to the Clovis Municipal Code with special consideration to 5.27 which outlines nuisance properties and the cities multiple response ordinance.

COUNTY OF FRESNO HEALTH DEPARTMENT

(Kevin Tsuda, County of Fresno Health Representative – (559) 600-3271)

31. The applicant shall refer to the attached Fresno County Health Department correspondence. If the list is not attached, please contact the agency for the list of requirements.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

(Antony Zaragoza, FMFCD Department Representative – (559) 456-3292)

32. The applicant shall refer to the attached Fresno Metropolitan Flood Control District correspondence. If the list is not attached, please contact the District for the list of requirements.

FRESNO IRRIGATION DISTRICT

(Chris Lundeen, FID Department Representative – (559) 233-7161)

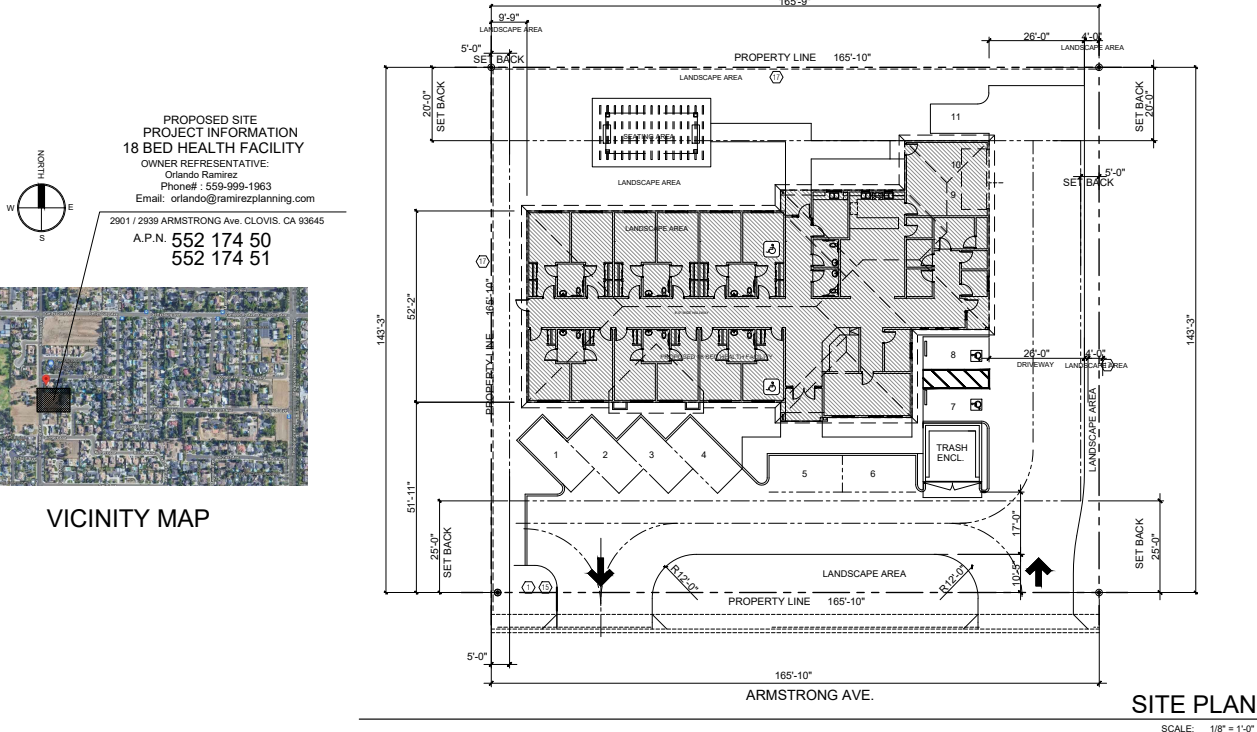
33. The applicant shall refer to the attached Fresno Irrigation District correspondence. If the list is not attached, please contact the District for the list of requirements.

18 BED CONGREGATE LIVING HEALTH FACILITY

2901 & 2929 N. Armstrong Ave. Clovis, CA 93619

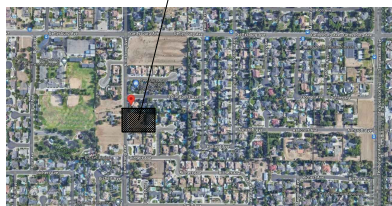
PROJECT DATA

SITE ADDRESS:	2901 & 2929 N. ARMSTRONG AVE. CLOVIS, CA 93619	AGENDA ITEM NO. 5.
SITE PLAN REVIEW NO.:		
A.P.N. #	552 174 50 & 51	
EXISTING LAND USE:	L (Low Density Residential)	
ZONING:	R-1-C	
SITE AREA:	23,145 SQ. FT. (+)	
BUILDING AREA:	FACILITY BLDGS.: 6,100.00 SQ. FT.	
TOTAL BUILDING FLOOR AREA: 6,100.00 SQ. FT.		
SITE CALCULATIONS:		
BUILDING HEIGHT:	ONE STORY REFER TO ELEVATION FOR HEIGHT	
OCCUPANCY GROUP:	GROUP R	
PARKING REQUIREMENTS:	4 STALLS / PARKING	
ACCESSIBLE PARKING:	2 PARKING STALLS	



PROPOSED SITE PROJECT INFORMATION
18 BED HEALTH FACILITY
 OWNER REPRESENTATIVE:
 Orlando Ramirez
 Phone#: 559-999-1963
 Email: orlando@ramirezplanning.com

2901 / 2929 ARMSTRONG AVE. CLOVIS, CA 93645
 A.P.N. 552 174 50
 552 174 51



VICINITY MAP

- #### KEY NOTES
- NEW TRASH ENCLOSURE PER CITY STANDARD 6'-0" HIGH MASONRY WALLS W/ METAL GATES.
 - NEW PAINTED STALL STRIPING PER CITY OF CLOVIS STANDARD.
 - INDICATES NEW STANDARD ACCESSIBLE PARKING PER STATE OF CALIFORNIA STANDARD INCLUDING STRIPING, LOADING AREA, SIGNAGE & RAMP (TYP.)
 - INDICATES NEW STANDARD ACCESSIBLE PARKING PER STATE OF CALIFORNIA STANDARD INCLUDING STRIPING, LOADING AREA, SIGNAGE & RAMP (TYP.)
 - NEW ACCESSIBLE SIGN AT ENTRANCE TO PARKING LOT.
 - EXISTING STREET PAVING.
 - INSTALL NEW A.C. PAVING PER GRADING PLAN & SOILS REPORT.
 - NEW POLE MOUNTED SIGN @ ACCESSIBLE PARKING STALLS.
 - NEW 6" HIGH CURB & 2" CONCRETE GUTTER.
 - CONCRETE APRON IN FRONT OF TRASH ENCLOSURE.
 - CONCRETE WHEEL STOPS AT ACCESSIBLE STALLS. TYPICAL.
 - INDICATE PROPERTY LINE.
 - ACCESSIBLE PATH OF TRAVEL 1.5% MAX CROSS SLOPE 5% MAX IN DIRECTION OF TRAVEL 1' FROM PUBLIC RIGHT OF WAY & ACCESSIBLE PARKING. REFER TO CIVIL DRAWING.
 - INTERNATIONAL SYMBOL AND ACCESSIBLE STALL SIGN. TYPICAL. AT ALL ACCESSIBLE PARKING STALL. NOT TO BE LOCATED WITHIN 25 FT. BUMPER OVERHANGS.
 - INDICATES 2' BUMPER OVERHANG. TYP. LANDSCAPE PLANTING WITH IN BUMPER OVERHANG AREA TO BE LIMITED TO LOW GROWING PLANTS.
 - PLANTER AREA. REFER TO LANDSCAPING PLAN.
 - MIN. 6'-0" HT. CONCRETE MASONRY ENCLOSURE FENCE.
 - INDICATE BUILDING FOOTPRINT.

- #### GENERAL NOTES:
- ADDRESS: APPROVED NUMBER OR ADDRESSES SHALL BE PLACED ON ALL NEW EXISTING BUILDING IN SUCH A POSITION AS TO BE PLAINLY VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. SAID NUMBER SHALL CONTRAST WITH THE BACKGROUND.
 - ADDRESS AND ADDRESS MONUMENT FOR ALL THE BUILDING SHOULD BE PROVIDED FROM ALL THE STREET FRONTAGE. THESE ADDRESS MONUMENTS SHOULD BE LARGE ENOUGH AND CLEARLY TO BE SEEN FROM THE STREET.
 - APPROVED ACCESS ROADS AND HYDRANTS SHALL BE PROVIDED ONCE WOOD FRAMING IS AVAILABLE AT THE SITE OR PROVIDE AN ALTERNATE MEANS OF WATER SUPPRESSION SUBJECT TO THE APPROVAL OF THE FIRE DEPARTMENT. OBTAIN PERMIT AND PAY APPLICABLE FEES PRIOR TO THE INSTALLATION. CONTACT THE CLOVIS FIRE DEPARTMENT'S FIRE PROTECTION SYSTEM SECTION @ 559.
 - FIRE DEPARTMENT ACCESS ROAD MUST BE ABLE TO SUPPORT AT LEAST 75,000 LBS. WEIGHT AND MUST BE ABLE TO WITHSTAND ALL WEATHER CONDITIONS.
 - ALL FIRE DEPARTMENT ACCESS ROADS, WATER MAINS AND FIRE HYDRANT SHALL BE INSTALLED AND OPERATIONAL DURING CONSTRUCTION IN ACCORDANCE WITH ARTICLE 67 OF THE FIRE CODE AND OTHER APPLICABLE STANDARDS.

SITE PLAN NORTH
 SCALE: 1/8" = 1'-0"

SITE PLAN GENERAL NOTES:

- CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS AND DEPTHS AS INDICATED HEREON AND SHALL BE RESPONSIBLE FOR REPORTING ANY DISCREPANCY BETWEEN THESE PLANS AND EXISTING CONDITIONS PRIOR TO SUBMITTAL OF BID.
- THE CONTRACTOR SHALL VISIT THE SITE AND VERIFY ALL DIMENSIONS OF THE SITE AND REPORT AND DISCREPANCIES TO THE ARCHITECT BEFORE SUBMITTING BIDS.
- PROVIDE MINIMUM OF 2% SLOPE AWAY FROM THE BUILDING FOR A DISTANCE OF 5'-0" AT LANDSCAPE AREAS. 1% MINIMUM AT PAVING AREAS.
- NO DRAINAGE TO BE TAKEN TO ADJACENT PROPERTY.
- PROVIDE 12% MAX. STEP FROM EXTERIOR DOOR THRESHOLDS TO EXTERIOR SURFACE. CHANGES IN ELEVATIONS MORE THAN 8" ALONG EXIT WAYS SHALL BE MEANS OF AN APPROVED RAMP.
- LAYOUT FORMS FOR WALKWAYS AND EXTERIOR SLAB IN FIELD FOR ARCHITECTS APPROVAL BEFORE POURING.
- TREES SHALL BE MAINTAINED IN GOOD HEALTH. HOWEVER, TREES MAY NOT BE TRIMMED OR PRUNED TO REDUCE THE NATURAL HEIGHT OR OVERALL CROWN OF THE TREE, EXCEPT AS NECESSARY FOR THE HEALTH OF THE TREE AND PUBLIC SAFETY, OR AS MAY BE OTHERWISE APPROVED BY THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT.
- TWO WORKING DAYS PRIOR TO COMMENCING EXCAVATION OPERATIONS WITHIN THE STREET RIGHT OF WAY AND / OR UTILITY EASEMENT, ALL EXISTING UNDERGROUND UTILITIES SERVICES ALERT (USA) 800 641 2444.
- INSTALL ALL OFF SITE SITE IMPROVEMENT WITHIN THE PUBLIC RIGHT OF WAY AND EASEMENT IN ACCORDANCE WITH THE CITY OF CLOVIS STANDARD AND SPECIFICATIONS IN EFFECT AT THE TIME OF IMPROVEMENT APPROVAL.
- ALL TRANSFORMER, ETC. SHALL BE SHOWN ON THE SITE PLAN. THE BACK FLOW DEVICE SHALL BE SCREENED BY LANDSCAPING OR SUCH OTHER MEANS AS MAY BE APPROVED.
- CONTRACTOR TO PROVIDE THE BUILDING DEPARTMENT WITH SOIL COMPACTION REPORTS PREPARED BY AN APPROVED TESTING AGENCY.
- THE SANITARY SEWER SERVICES, WATER, GAS AND OTHER UNDERGROUND SERVICES SHALL BE COMPLETED IN ALL AREAS TO BE PAVED PRIOR TO PLACEMENT OF PAVING ON THE SITE.
- PROVIDE ACCESSIBLE ACCESS SIGNS AT DRIVE APPROACHES PER CITY ORDINANCE.
- LIGHTING, WHERE PROVIDED TO ILLUMINATE PARKING, SHALL BE HOODED AND ARRANGED AND CONTROLLED AS TO NOT CAUSE A BLINDNESS EITHER TO THE STREET TRAFFIC OR TO THE LIVING ENVIRONMENT. THE AMOUNT OF LIGHT SHALL BE PROVIDED ACCORDING TO THE STANDARDS OF THE CITY OF FRESNO.
- ANY UTILITIES REQUIRING RELOCATION SHALL BE THE RESPONSIBILITY AND AT THE EXPENSES OF THE CONTRACTOR. CONTRACTOR IS RESPONSIBLE FOR NOTIFYING THE CITY OF FRESNO ARRANGE AND COORDINATE WORK.
- CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS AND DEPTHS AS INDICATED HEREON AND SHALL BE RESPONSIBLE FOR REPORTING ANY DISCREPANCY BETWEEN THESE PLANS AND EXISTING CONDITIONS PRIOR TO SUBMITTAL OF BID.
- THE APPLICANT SHALL INSTALL AN APPROVED BACKFLOW PREVENTION ASSEMBLY ADJACENT TO THE WATER METER AND SHALL BE TESTED BY AN APPROVED AWWA CERTIFIED TESTER WITHIN 5 DAYS OF INSTALLATION WITH THE RESULT SENT TO THE CITY UTILITIES DIVISION.
- PROVIDE ILLUMINATED ADDRESS SIGN, VISIBLE FROM THE STREET PRIOR TO THE FINAL INSPECTION PER FIRE DEPARTMENT STANDARD.
- THE SOILS REPORT SHALL BE A PART OF THESE PLANS. CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCY BETWEEN THIS REPORT AND THE PLANS PRIOR TO BEGINNING OF WORK.
- ROOF MOUNTED AND DETACHED MECHANICAL EQUIPMENT SHALL BE SCREENED FROM VIEW AND ACOUSTICALLY DAMPED.
- REPAIR ALL DAMAGED AND / OR OFF GRADE CONCRETE STREET IMPROVEMENT AS DETERMINED BY THE CITY PRIOR TO OCCUPANCY. ALL EXISTING SIDEWALKS IN EXCESS OF 2% MAXIMUM CROSS SLOPE MUST BE BROUGHT INTO COMPLIANCE PRIOR TO ACCEPTANCE BY ENGINEERING SERVICES.
- SUBMIT ENGINEERED STREET CONSTRUCTION PLANS TO ENGINEERING SERVICES DEPARTMENT.
- LANDSCAPE MUST BE IN PLACE BEFORE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY. A HOLD ON OCCUPANCY SHALL BE PLACED ON THE PROPOSED DEVELOPMENT UNITS, SUCH TIME THAT LANDSCAPE HAS BEEN APPROVED AND VERIFIED FOR PROPER INSTALLATION BY THE PLANNING & DEVELOPMENT SERVICES DEPARTMENT.
- CONTRACTOR SHALL PROVIDE ALL REQUIRED TRENCHING AND CONNECTIONS TO EXISTING UTILITIES U.N.O. SEE CIVIL PLUMBING, ELECTRICAL, FIRE PROTECTION AND LANDSCAPING DRAWINGS.
- IF ARCHAEOLOGICAL AND / OR ANIMAL FOSSIL MATERIALS IS ENCOUNTERED OR UNCOVERED DURING THE PROJECT SURVEYING GRADING, EXCAVATING OR CONSTRUCTION WORK, SHALL STOP IMMEDIATELY AND CONTACT THE MUSEUM OF PALEONTOLOGY TO OBTAIN A REFERRAL LIST OF RECOGNIZED PALEONTOLOGISTS. AN ASSESSMENT SHALL BE CONDUCTED BY A PALEONTOLOGIST AND, IF PALEONTOLOGIST DETERMINES THE MATERIALS TO BE SIGNIFICANT, IT SHALL BE PRESERVED.
- PROVIDE SIGN 17" X 22" MIN. AT ALL PUBLIC ENTRANCE DRIVES TO THE PROPERTY WHICH STATE "WARNING-VEHICLES STOPPED PARKED OR LEFT STANDING IN FIRE LANE" BE MIMETICALLY INSTALLED AT OWNERS EXPENSES. 22658 (a) CALIFORNIA VEHICLES CODE, CITY OF CLOVIS POLICE DEPARTMENT.
- IF THERE ARE SUSPECTED HUMAN REMAINS, THE FRESNO COUNTY CORONER SHALL BE IMMEDIATELY CONTACTED. IF THE REMAINS OR OTHER ARCHAEAL MATERIALS IS POSSIBLY NATIVE AMERICAN IN ORIGIN, THE NATIVE AMERICAN HERITAGE COMMISSION / PHONE 916 653 4082 / SHALL BE IMMEDIATELY CONTACTED AND THE CALIFORNIA ARCHAEOLOGICAL INVENTORY / SOUTHERN SAN JOAQUIN VALLEY INFORMATION CENTER / PHONE 804 644 2269 / SHALL BE CONTACTED TO OBTAIN REFERRAL LIST OF RECOGNIZED ARCHAEOLOGIST. AN ARCHAEOLOGICAL ASSESSMENT SHALL BE CONDUCTED BY THE PROJECT. THE SITE SHALL BE FORMALLY RECORDED AND RECOMMENDATIONS MADE TO THE CITY AS TO ANY FURTHER SITE INVESTIGATION OR SITE AVOIDANCE / PRESERVATIONS.
- NO USES OF LAND, BUILDING OR STRUCTURES OTHER THAN THOSE SPECIFICALLY APPROVED PURSUANT TO THE SPECIAL PERMIT SHALL BE PERMITTED.
- APPROVAL OF THE PERMIT MAY BECOME NULL AND VOID IN THE EVENT THAT DEVELOPMENT IS NOT COMPLETED IN ACCORDANCE WITH ALL THE CONDITIONS AND REQUIREMENTS IMPOSED ON THIS SPECIAL PERMIT. THE ZONING ORDINANCE, ALL ENGINEERING STANDARDS AND SPECIFICATIONS, THE CITY OF CLOVIS CONSTRUCTION PLAN, SHALL NOT ASSUME RESPONSIBILITY FOR ANY BUILDINGS OR STRUCTURES INSTALLED ON THIS SPECIAL CONSTRUCTION PLAN NOT SPECIFICALLY SUBMITTED AND REVIEWED AND APPROVED PURSUANT TO THIS SPECIAL PERMIT OR SUBSEQUENT AMENDMENTS OR REVISIONS.
- DESIGN AND CONSTRUCT PARKING LOT GEOMETRIC IN COMPLIANCE WITH THE CITY OF CLOVIS PARKING STANDARDS.
- VERIFY THAT ALL CONCRETE AT DOORWAYS SLOPE AWAY FROM THE BUILDING TO PROVIDE POSITIVE DRAINAGE.
- REFER TO CIVIL DRAWING FOR ALL SLOPES AND SPOT ELEVATIONS ON WALKS AND SIDE WALKS.
- ALL ACCESSIBLE PARKING STALLS SHALL BE LOCATED ADJACENT TO FACILITY ACCESS RAMPS OR IN STRATEGIC AREAS WHERE THE DISABLED SHALL NOT HAVE TO WHEEL OR WALK BEHIND PARKED VEHICLES WHILE TRAVELING TO OR FROM THE ACCESSIBLE PARKING STALLS.
- SIGNS, OTHER THAN DIRECTIONAL SIGNS, IF APPLICABLE ARE NOT APPROVED FOR INSTALLATION AS PART OF THIS PERMIT.
- DIMENSIONS SHOWN ON THIS SHEET ARE NOT FOR REFERENCE ONLY. REFER TO CIVIL FOR LOCATION AND COORDINATES.
- ALL CONSTRUCTION WORKS ON THIS PROJECT IS SUBJECT TO INTERRUPTION IF THE ROAD SYSTEM BECOMES IMPOSSIBLE FOR FIRE DEPARTMENT APPARATUS DUE TO RAIN OR OTHER OBSTACLES.
- ALL PREVIOUSLY IMPOSED CONDITIONS OF APPROVAL FOR SPECIAL PERMITS PERTAINING TO THE SUBJECT PROPERTY SHALL REMAIN IN EFFECT AND ARE INCORPORATED HEREBY BY REFERENCE EXCEPT AS MAYBE SPECIFICALLY MODIFIED BY THIS SPECIAL PERMIT.
- PRIOR TO INSPECTION, A WRITTEN CERTIFICATION SIGNER BY THE LANDSCAPE PROFESSIONAL APPROVED BY THE DIRECTOR SHALL BE SUBMITTED STATING THAT THE REQUIRED LANDSCAPING AND IRRIGATION SYSTEM WAS INSTALLED IN ACCORDANCE WITH THE LANDSCAPING AND IRRIGATION PLANS APPROVED BY PLANNING & DEVELOPMENT SERVICES DEPARTMENT.
- PROVIDE SEWER AND WATER SERVICES TO ALL BUILDING AND CONNECT TO THE CITY OF CLOVIS.
- CONTACT THE CITY OF CLOVIS ENGINEERING SERVICES TEN WORKING DAYS PRIOR TO ANY OFF-SITE CONCRETE CONSTRUCTION.

CONSULTANTS

PROJECT NO. 17 2024
 SUBJECT: 18 BED HEALTH FACILITY BUILDING
 2901 / 2929 N. ARMSTRONG AVE. CLOVIS, CA 93619

AIN# 552 174 50
 552 174 51

TITLE SHEET
 SITE DEVELOPMENT PLAN

REVISIONS

NO.	DATE

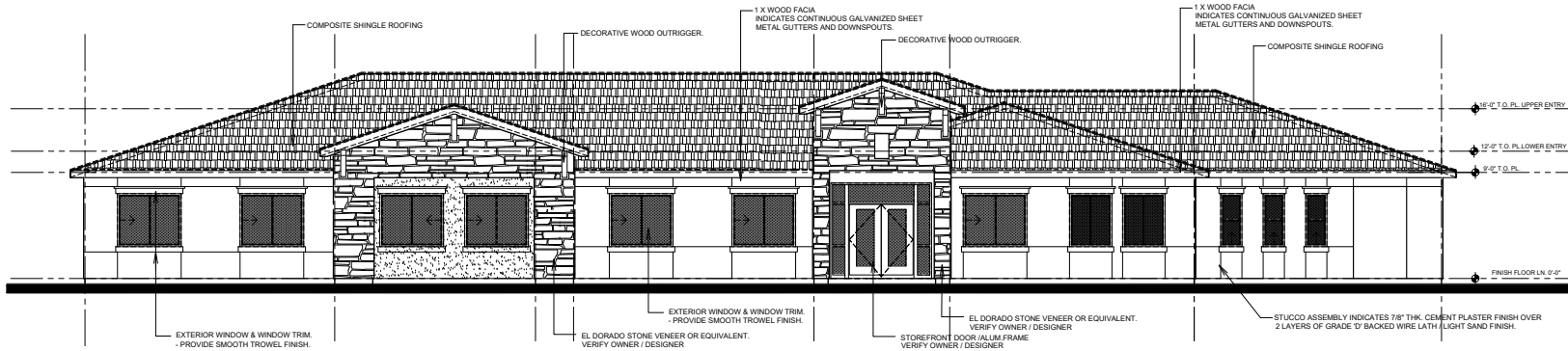
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DATE: 03.02.2024

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GENERAL NOTES:

- ATTIC AREAS WITHIN CONDITIONED SPACES USING THE 1300 RATIO HAVE BEEN DESIGNED SO THAT 50% OF THE REQUIRED VENTILATION AREA IS PROVIDED IN THE UPPER PORTION OF THE ATTIC SPACE AND 50% IN THE LOWER PORTION. CRC R302.2
- GENERAL CONTRACTOR SHALL VERIFY THE NET FREE VENTILATION OF THE VENT PRODUCT SELECTED AGAINST THOSE NOTED ABOVE. THE REQUIRED VENTILATION SHALL BE MAINTAINED. PROVIDE INSULATION STOP SUCH THAT INSULATION DOES NOT OBSTRUCT FREE AIR MOVEMENT AS REQUIRED BY THE BUILDING OFFICIAL.
- ALL OVERLAP FRAMED ROOF AREAS SHALL HAVE OPENINGS BETWEEN THE ADJACENT ATTICS IN THE ROOF SHEATHING (AS ALLOWED BY THE STRUCTURAL ENGINEER) TO ALLOW PASSAGE AND ATTIC VENTILATION BETWEEN THE TWO OR ISOLATED ATTIC SPACES OR SHALL BE VENTED INDEPENDENTLY TO CRC REQUIREMENTS.
- PROVIDE ONLY CORROSION RESISTANT GUTTER AND DOWNSPOUTS PER GENERAL NOTES WHERE SCHEDULED.
- OPENINGS FOR VENTILATION SHALL BE COVERED WITH CORROSION RESISTANT METAL MESH WITH MESH OPENINGS MINIMUM OF 1/8" AND SHALL NOT EXCEED 1/4" IN DIMENSION.
- ROOF GUTTER SHALL BE PROVIDED WITH GUTTER DEBRIS GUARD TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER. 2016 CRC SECTION R307.4.4
- THE CONTRACTOR TO PROVIDE THE GABLE END VENT SHALL BE FULLY COVERED WITH METAL WIRE MESH OR NON-COMBUSTIBLE MATERIALS WITH MINIMUM 1/8" AND SHALL NOT EXCEED TO 1/8" OPENINGS IN COMPLIANCE WITH 2022 CRC SECTION R327.6.2.

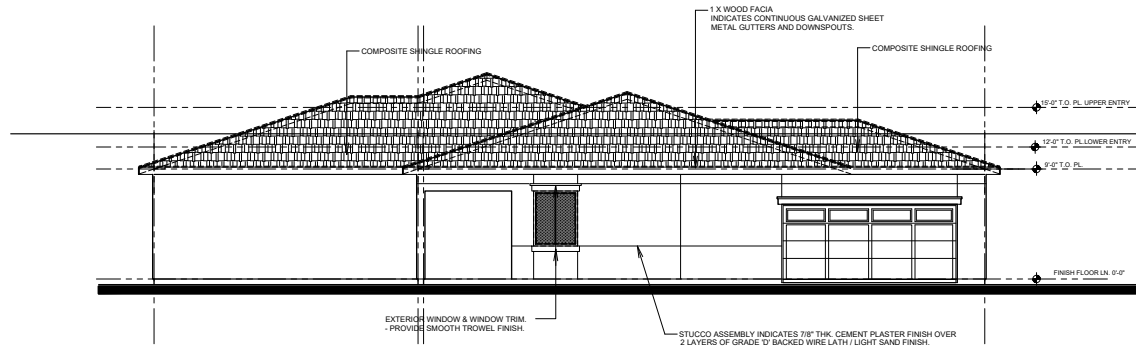


SCALE: 3/16" = 1' - 0" WEST - FRONT ELEVATION HEALTH FACILITY BUILDING

GENERAL ELEVATION KEY NOTES:

THE FOLLOWING KEYNOTES SHALL APPLY WHERE INDICATED ON THIS SHEET:

- COMPOSITE SHINGLE ROOF ASSEMBLY. - SEE EXTERIOR ELEVATIONS AND ROOF PLAN FOR MATERIALS AND SPECIFICATIONS.
- STUCCO ASSEMBLY INDICATES 7/8" THK. CEMENT PLASTER FINISH OVER 2 LAYERS OF GRADE 1' BACKED WIRE LATH / LIGHT SAND FINISH.
- EXTERIOR WINDOW & WINDOW TRIM. - PROVIDE SMOOTH TROWEL FINISH.
- FASCIA - 2 X 8 WOOD FASCIA.
- INDICATES CONTINUOUS GALVANIZED SHEET METAL GUTTERS AND DOWNSPOUTS. - REFER TO EXTERIOR FINISH SCHEDULE FOR COLOR - PROVIDE SPLASH BLOCK AT BASE OF DOWNSPOUT
- EXPOSED WOOD HEADER AT ENTRY PATIO. - SEE STRUCTURAL DRAWINGS.
- INDICATES EXPANSION JOINT (TYPICAL AS SHOWN)
- DECORATIVE CORBEL / OUTRIGGER. - MANUF. TO BE DETERMINED.
- FOAM TRIM AT OPENING. REFER TO COLOR MATERIAL LEGEND FOR SPECIFICATIONS AND ADDITIONAL INFORMATION.
- HARDY BOARD WOOD TRIM. REFER.
- DOORS - SEE DOOR SCHEDULE.
- WINDOWS - SEE WINDOW SCHEDULE.
- EL DORADO STONE VENEER OR EQUIVALENT. VERIFY OWNER / DESIGNER.
- GABLE END VENT. VERIFY OWNER / DESIGNER.
- STUCCO JOINT. HORIZONTAL / VERTICAL.
- 1 5/8" CASING STARTER BEAD - MIN. .019" (NO. 26 GAUGE) CORROSION RESISTANT WEEP SCREED WITH 1/8" WEEPHOLES AND A MINIMUM VERTICAL ATTACHMENT FLANGE OF 3 1/2" SHALL BE PROVIDED AT OR BELOW THE FOUNDATION LINE ON ALL EXTERIOR STUD WALLS WITH CEMENT PLASTER.
- HARDY BOARD & BATTEN.
- ARTISAN SQ. CHANNEL SIDINGS.
- DECORATIVE STAGECOACH LIGHT FIXTURE. VERIFY DESIGN.



SCALE: 3/16" = 1' - 0" SOUTH ELEVATION HEALTH FACILITY BUILDING

GENERAL NOTES:

- ATTIC AREAS WITHIN CONDITIONED SPACES USING THE 1:300 RATIO HAVE BEEN DESIGNED SO THAT 50% OF THE REQUIRED VENTILATION AREA IS PROVIDED IN THE UPPER PORTION OF THE ATTIC SPACE AND 50% IN THE LOWER PORTION. CRC R327.2
- GENERAL CONTRACTOR SHALL VERIFY THE NET FREE VENTILATION OF THE VENT PRODUCT SELECTED AGAINST THOSE NOTED ABOVE. THE REQUIRED VENTILATION SHALL BE MAINTAINED. PROVIDE INSULATION STOP SUCH THAT INSULATION DOES NOT OBSTRUCT FREE AIR MOVEMENT AS REQUIRED BY THE BUILDING OFFICIAL.
- ALL OVERLAP FRAMED ROOF AREAS SHALL HAVE OPENINGS BETWEEN THE ADJACENT ATTICS IN THE ROOF SHEATHING (AS ALLOWED BY THE STRUCTURAL ENGINEER) TO ALLOW PASSAGE AND ATTIC VENTILATION BETWEEN THE TWO OR ISOLATED ATTIC SPACES OR SHALL BE VENTED INDEPENDENTLY TO CRC REQUIREMENTS.
- PROVIDE ONLY CORROSION RESISTANT GUTTER AND DOWNSPOUTS PER GENERAL NOTES WHERE SCHEDULED.
- OPENINGS FOR VENTILATION SHALL BE COVERED WITH CORROSION RESISTANT METAL MESH WITH MESH OPENINGS MINIMUM OF 1/8" AND SHALL NOT EXCEED 1/4" IN DIMENSION.
- ROOF GUTTER SHALL BE PROVIDED WITH GUTTER DEBRIS GUARD TO PREVENT THE ACCUMULATION OF LEAVES AND DEBRIS IN THE GUTTER. 2016 CRC SECTION R327.4.4
- THE CONTRACTOR TO PROVIDE THE GABLE ATTIC VENT SHALL BE FULLY COVERED WITH METAL WIRE MESH OR NON-COMBUSTIBLE MATERIALS WITH MINIMUM 1/8" TYP AND SHALL NOT EXCEED TO 1/8" OPENINGS IN COMPLIANCE WITH 2022 CRC SECTION R327.6.2.



CONSULTANTS

PROJECT:

18 BED HEALTH FACILITY BUILDING

2901 / 293 N. ARMSTRONG AV Clovis, CA. 93645

APN #

552 174 50
552 174 51

NO REPRESENTATION OR WARRANTY IS MADE BY THIS CONSULTANT FOR THE ACCURACY OF THE INFORMATION PROVIDED IN THIS DRAWING. THE CONSULTANT HAS CONDUCTED VISUAL GENERAL VERIFICATION OF THE INFORMATION PROVIDED IN THIS DRAWING. THE CONSULTANT HAS CONDUCTED VISUAL GENERAL VERIFICATION OF THE INFORMATION PROVIDED IN THIS DRAWING. THE CONSULTANT HAS CONDUCTED VISUAL GENERAL VERIFICATION OF THE INFORMATION PROVIDED IN THIS DRAWING.

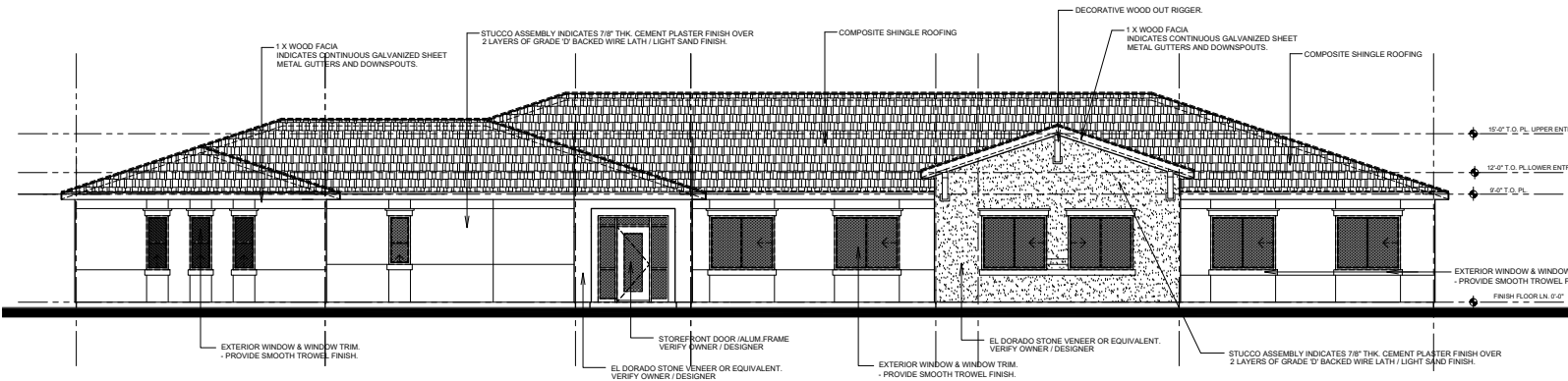
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ELEVATIONS

REVISIONS

NO.	DATE

SCALE:

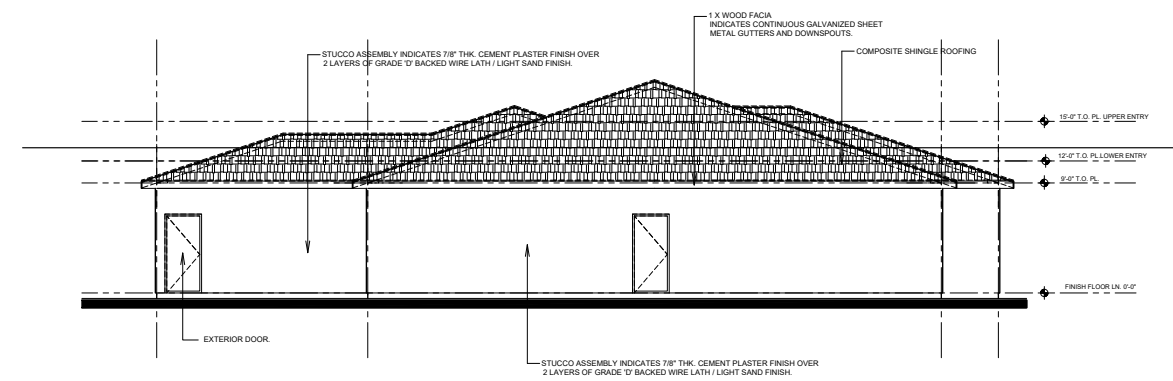


SCALE: 3/16" = 1' - 0" **EAST ELEVATION**
HEALTH FACILITY BUILDING

GENERAL ELEVATION KEY NOTES:

THE FOLLOWING KEYNOTES SHALL APPLY WHERE INDICATED ON THIS SHEETS:

- COMPOSITE SHINGLE ROOF ASSEMBLY. - SEE EXTERIOR ELEVATIONS AND ROOF PLAN FOR MATERIALS AND SPECIFICATIONS.
- STUCCO ASSEMBLY INDICATES 7/8" THK. CEMENT PLASTER FINISH OVER 2 LAYERS OF GRADE 'D' BACKED WIRE LATH / LIGHT SAND FINISH.
- EXTERIOR WINDOW & WINDOW TRIM. - PROVIDE SMOOTH TROWEL FINISH.
- FACIA. - 2 X 8 WOOD FACIA.
- INDICATES CONTINUOUS GALVANIZED SHEET METAL GUTTERS AND DOWNSPOUTS. - REFER TO EXTERIOR FINISH SCHEDULE FOR COLOR. - PROVIDE SPLASH BLOCK AT BASE OF DOWNSPOUT.
- EXPOSED WOOD HEADER AT ENTRY PATIO. - SEE STRUCTURAL DRAWINGS.
- INDICATES EXPANSION JOINT (TYPICAL AS SHOWN)
- DECORATIVE CORBEL / OUTRIGGER. - MANUF. TO BE DETERMINED.
- FOAM TRIM AT OPENING. REFER TO COLOR/MATERIAL LEGEND FOR SPECIFICATIONS AND ADDITIONAL INFORMATION.
- HARDY BOARD WINDOW TRIM. REFER.
- DOORS. - SEE DOOR SCHEDULE.
- WINDOWS. - SEE WINDOW SCHEDULE.
- EL DORADO STONE VENEER OR EQUIVALENT. VERIFY OWNER / DESIGNER.
- GABLE END VENT. VERIFY OWNER / DESIGNER.
- STUCCO JOINT. HORIZONTAL / VERTICAL.
- 1 5/8" CASING STARTER BEAD. MIN. #19 (NO. 26 GAUGE) CORROSION RESISTANT WEEP SCREED WITH 1/8" WEEPHOLES AND A MINIMUM VERTICAL ATTACHMENT FLANGE OF 3 1/2" SHALL BE PROVIDED AT, OR BELOW THE FOUNDATION LINE ON ALL EXTERIOR STUD WALLS WITH CEMENT PLASTER.
- HARDY BOARD & BATTEN.
- ARTISAN SQ. CHANNEL SIDINGS.
- DECORATIVE STAGECOACH LIGHT FIXTURE. VERIFY DESIGN.



SCALE: 3/16" = 1' - 0" **NORTH ELEVATION**
HEALTH FACILITY BUILDING

PRELIMINARY DESIGN 03 24 2024
 NOT FOR CONSTRUCTION



CONSULTANTS

PROJECT:

18 BED HEALTH FACILITY BUILDING

2901 / 2939 N.ARMSTRONG AVE. Clovis, CA 93645

APN # 552 174 50 552 174 51

PROFESSIONAL CONTRACTOR'S LICENSE: THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE WRITTEN PERMISSION AND CONSENT OF THE NEIGHBORS IN THE EVENT OF ANY NEIGHBORLY DISPUTE THAT MAY ARISE FROM THIS PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE WRITTEN PERMISSION AND CONSENT OF THE NEIGHBORS IN THE EVENT OF ANY NEIGHBORLY DISPUTE THAT MAY ARISE FROM THIS PROJECT.

TITLE SHEET:

ELEVATIONS

REVISIONS

Site Plan Review

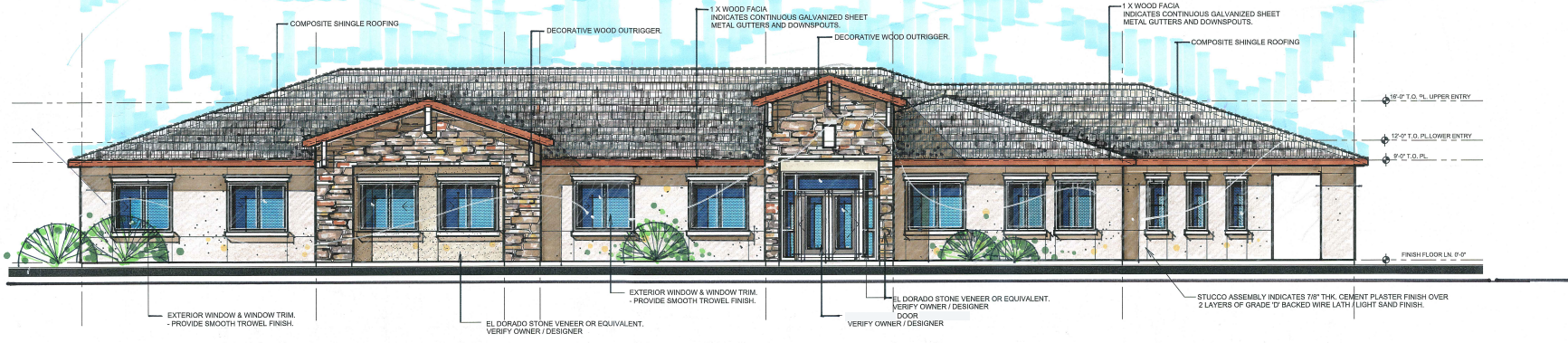
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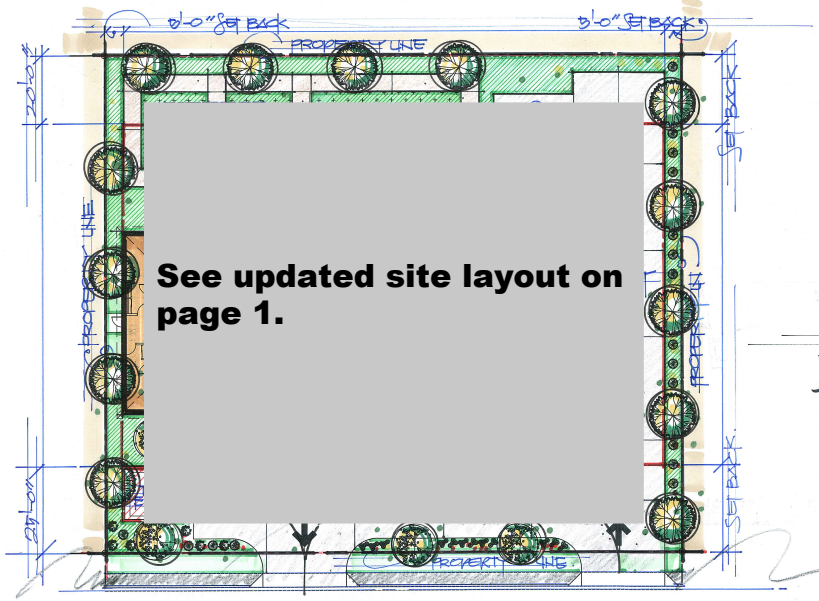
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DATE: 03.02.2024



SCALE: 1/8" = 1'-0" FRONT ELEVATION HEALTH FACILITY BUILDING

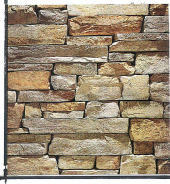


See updated site layout on page 1.

ARMSTRONG AVE.

SITE DEVELOPMENT PLAN HEALTH FACILITY BUILDING

ELEVATION COLOR & MATERIALS HEALTH FACILITY BUILDING



STONE VENEER



ROOF



STUCCO PAINT



TRELLIS SEATING AREA



BENCH

Clovis ARK- Congregate Care Facility
2901 and 2939 Armstrong Avenues
APN: 552-174-50 and 51

The subject property was specifically selected to meet the needs of the intended residents within a residential environment. Per state regulations, Congregate Living Health Facilities (CLHFs) are required to be in residential designated properties and an additional benefit is to provide these facilities within 10 minutes of a hospital.

The proposed CLHF will serve long-term residents. The proposed use will provide care for:

- Individuals who are mentally alert, physically disabled and may be ventilator dependent, and
- Individuals who are catastrophically and severely disabled due to a traumatic event.

The facility is **NOT** a drug treatment, drug rehabilitation or drug “halfway house”, and the facility will not be used for long-term housing of individuals who are cognitively impaired. Services provided by the CLHF may include, but are not necessarily limited to the following basic services:

- Medical supervision.
- 24-hour skilled nursing and supportive staff.
- Provision of medication.
- On-site dialysis treatment (each room).
- Dietary treatment.

The services provided are typically less complex than an in-patient (hospital) setting but more comprehensive than a skilled nursing facility. As required by licensing requirements from the State of California Department of Health Services, there will be a maximum number of 18 residents housed in the facility.

Typical staffing is always done on 12-hour shifts with 2-3 employees on site. There are occasional visits to the site by resident’s family and friends. However, experience has shown that such visits are not frequent.

Deliveries and transport

Deliveries to the site are infrequent and will be made by small vans and Fed Ex type vehicles. There would typically be 7 – 10 such deliveries a week. Delivery vehicles can be accommodated at the front of the building. The facility will contract with medical transportation companies for the transport of its clients.

Access and Parking stalls

Access to the site will be provided by a one-way circular driveway that eliminates backing out directly onto Armstrong Avenue. A total of 11 parking stalls will be provided. This exceeds parking Code requirements.

Refuse

A masonry walled trash enclosure will be provided at a location approved by Solid Waste. The trash enclosure will be screened with landscaping and will not impact the street view of the site.

A masonry wall will also be provided along the perimeter of the property.

Rooms and Elevations

The facility will develop with an approximate 6,000 s.f. single-story building that will provide on-site facilities for a maximum of 18 residents, staffing, and physical therapy. The exterior of the building will have a residential character and will incorporate typical materials inclusive of stucco with decorative trim, as well as roofing material that is consistent to the area.

The facility will have 12 units/rooms. Six (6) of the rooms will be double occupancy and the remaining rooms will be singles. In addition to the rooms, there will be a common/reception area, an administrative office, bathrooms, shower facilities, and kitchen facilities.

Equipment, Materials and Supplies

- Equipment used on site will consist of medical beds, ventilators, dialysis equipment, and related equipment.
- Supplies will consist of food, linens, and medical supplies.
- Food and linens are stored in appropriate areas.
- Medical supplies are closely monitored and in the case of controlled substances (if any), kept under lock and key.

Surrounding area

The Project site is located at the southeast area of Gettysburg and Armstrong Avenues and is surrounded by single-family developments on the east, south and north, with existing rural residential housing directly across the street on the west.

The building will be designed in a manner that uses common construction practices in creating a residential character to the facility. The Project will provide adequate separation from property lines which will not detrimentally impact surrounding properties

and will include significant private rear yard open space that will be utilized for passive open space area.

The applicant understands that these facilities are a much-needed part of the community but also understands the sensitive nature of the use and how it interacts with affected neighborhoods. The intent is to notify area property owners prior to any public hearing, touching on the City requirements for a use permit and the site plan review process. Additionally, the applicant is concurrently processing a PME (Lot Line Adjustment) which is required to remove/adjust the existing dividing parcel line between the two existing parcels.

The proposed congregate care facility is consistent with the underlying General Plan and zoning. The subject project site and street system is adequate to handle the proposed use and the proposed use would have no adverse effect on adjacent properties.

Recommended Environmental Determination

The property proposed for development in the requested CUP is approximately .55 acres in size, is consistent with the applicable general plan designation and zoning regulations of the City of Clovis. The site will develop with an approximate 6,000 +/- sq. ft. care facility within an existing single-family neighborhood. The Project has street frontage on Armstrong Avenue and will be served by available municipal water, sanitary sewer, storm water and solid waste services. The site has been routinely maintained so has no value as a habitat for endangered, rare or threatened species. The Project will not result in any significant effect relating to traffic, noise, air quality or water quality; therefore, as provided in CEQA Guidelines §15332, the project should qualify as an "In-Fill Development Project" and a Class 32 Categorical Exemption based on CEQA regulations should be determined.

CUP FINDINGS

1. The Project does not impair the integrity and character of the subject zoning district.

Since the Project is residential housing for persons with disabilities located in a residential zone, this finding must be answered in the affirmative.

2. The Project is consistent with the General Plan and any applicable specific plan.

The proposed use has been previously evaluated under the General Plan Land Use designation and determined that at the Residential level, it is consistent with the goals and policies of the General Plan. This finding must be answered in the affirmative.

3. The Project does not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other allowed uses operating

nearby or adverse to the public interest, health, safety, convenience, or welfare of the City.

This finding must be answered in the affirmative unless compelling evidence is presented that the Project will create significant noise, traffic or other conditions that would be considered a nuisance to neighboring properties. The use is a low impact Project that when completed, will not present any detrimental affects to adjoining and area properties.

4. The Site is physically suitable in size and shape for the type and density/intensity of use being proposed.

The Project is suitable for the site. The residential facility will maintain residential characteristics architecturally and will maintain or exceed setback requirements and will be well below the lot coverage requirements of the Zone District. This finding must be answered in the affirmative unless compelling evidence is presented to the contrary.

5. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

Staff previously evaluated the Project (DRC) and determined there are adequate provisions for public access, water, sanitation, and public utilities. Staff will again evaluate the Project, and if it makes the same determination, this finding must be answered in the affirmative.

6. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and there would be no potential significant negative effects upon environmental quality and natural resources that would not be properly mitigated and monitored, unless findings are made in compliance with CEQA.

The CEQA analysis is conducted separately. The Project is a true in-fill development on approximately 25,000 s.f. of land and meets the requirements for a Categorical Exemption. Since the requirements of CEQA are being followed, this finding must be answered in the affirmative.



County of Fresno

DEPARTMENT OF PUBLIC HEALTH
Environmental Health Division

February 16, 2024

LU0022529
2604

Lily Cha-Haydostian, Senior Planner
City of Clovis
Planning and Development Services Department
1033 Fifth Street
Clovis, CA 93612

Dear Ms. Cha-Haydostian:

PROJECT NUMBER: **DRC2024-006**

DRC2024-006; Congregate living facility.

APN: 552-174-50, -51 ZONING: R-1-C ADDRESS: 2901 & 2939 Armstrong Avenue

Recommended Conditions of Approval:

- Section 113789 of the California Health and Safety Code (California Retail Food Code) exempts child day care facilities, community care facilities, residential care facilities for the elderly, and residential care facilities for the chronically ill, which has the same meaning as a residential care facility, as defined in Health & Safety Code Sections 1250, 1502, 1568.01, and 1569.2. These facilities are not deemed to be FOOD FACILITIES, and, therefore, are exempt from this part. As such, this Division has no regulatory jurisdiction on the daycare facility.

The project should be routed to the following agency for comment:

California Department of Public Health,
Licensing and Certification Division
285 W. Bullard Avenue, Suite 101
Fresno, CA 93704
(559) 437-1500

- Facilities that use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Your proposed business will handle hazardous materials and/or hazardous waste and will be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (<http://cers.calepa.ca.gov/>). Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.
- The applicant shall obtain a medical waste management permit issued by the California Department of Public Health. For more information on the Medical Waste Management Program see their website at <https://www.cdph.ca.gov/certlic/medicalwaste/Pages/Generators.aspx>.

Attachment 4

Promotion, preservation and protection of the community's health

1221 Fulton Street /P. O. Box 11867, Fresno, CA 93775

(559) 600-3357 • FAX (559) 455-4646

The County of Fresno is an Equal Employment Opportunity Employer

www.co.fresno.ca.us • www.fcdph.org

- The proposed project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.
- As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.
- Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.

REVIEWED BY:



Kevin Tsuda, R.E.H.S.
Environmental Health Specialist II

(559) 600-33271

KT

cc: Damean Jackson- Environmental Health Division (CT. 58.02)

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS**

AGENDA ITEM NO. 5.

Page 1 of 3

PUBLIC AGENCY

MARISSA JENSEN
DEPARTMENT OF PLANNING AND
DEVELOPMENT SERVICES
CITY OF CLOVIS
1033 FIFTH STREET
CLOVIS, CA 93612

DEVELOPER

LANDO RAMIREZ, ARK CONGREGATE LIVING-
FRESNO, LLC
4233 W. WATHEN AVE.
FRESNO, CA 93722

PROJECT NO: **2024-003**

ADDRESS: **2901 & 2939 ARMSTRONG AVE.**

APN: **552-174-50, 552-174-51**

SENT: **May 07, 2024**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
1G	\$3,484.00	NOR Review *	\$50.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review *	\$117.00	Amount to be submitted with first grading plan submittal.
Total Drainage Fee: \$3,484.00		Total Service Charge: \$167.00		

* The Development Review Service Charge shown above is associated with CL SPR 2024-012 and is currently proposed to develop in conjunction with this permit. Payment for this entitlement shall satisfy the amount due on the associated permits.

The proposed development will generate storm runoff which produces potentially significant environmental impacts and which must be properly discharged and mitigated pursuant to the California Environmental Quality Act and the National Environmental Policy Act. The District in cooperation with the City and County has developed and adopted the Storm Drainage and Flood Control Master Plan. Compliance with and implementation of this Master Plan by this development project will satisfy the drainage related CEQA/NEPA impact of the project mitigation requirements.

Pursuant to the District’s Development Review Fee Policy, the subject project shall pay review fees for issuance of this Notice of Requirements (NOR) and any plan submittals requiring the District’s reviews. The NOR fee shall be paid to the District by Developer before the Notice of Requirement will be submitted to the City. The Grading Plan fee shall be paid upon first submittal. The Storm Drain Plan fee shall be paid prior to return/pick up of first submittal.

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/25 based on the site plan submitted to the District on 4/16/24 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

Considerations which may affect the fee obligation(s) or the timing or form of fee payment:

- a.) Fees related to undeveloped or phased portions of the project may be deferrable.
- b.) Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under which the development is being undertaken and if permanent provisions are made to assure that the site remains in that configuration.
- c.) Creditable storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- d.) The actual cost incurred in constructing Creditable drainage system facilities is credited against the drainage fee obligation.
- e.) When the actual costs incurred in constructing Creditable facilities exceeds the drainage fee obligation, reimbursement will be made for the excess costs from future fees collected by the District from other development.
- f.) Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the General Manager of the District within 60 days from payment of the fee. A non refundable \$300 Administration fee or 5% of the refund whichever is less will be retained without fee credit.

**CL
CUP No. 2024-003**

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

AGENDA ITEM NO. 5.

Page 2 of 3

CL
CUP
No. 2024-003

Approval of this development shall be conditioned upon compliance with these District Requirements.

1. a. Drainage from the site shall
 b. Grading and drainage patterns shall be as identified on Exhibit No. 1.
 c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.

2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:
 Developer shall construct facilities as shown on Exhibit No. 1 as
 None required.

3. The following final improvement plans and information shall be submitted to the District for review prior to final development approval:
 Grading Plan
 Street Plan
 Storm Drain Plan
 Water & Sewer Plan
 Final Map
 Drainage Report (to be submitted with tentative map)
 Other
 None Required

4. Availability of drainage facilities:
 a. Permanent drainage service is available provided the developer can verify to the satisfaction of the City that runoff can be safely conveyed to the Master Plan inlet(s).
 b. The construction of facilities required by Paragraph No. 2 hereof will provide permanent drainage service.
 c. Permanent drainage service will not be available. The District recommends temporary facilities until permanent service is available.
 d. See Exhibit No. 2.

5. The proposed development:
 Appears to be located within a 100 year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. (See attached Floodplain Policy.)
 Does not appear to be located within a flood prone area.

6. The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

AGENDA ITEM NO. 5.

Page 3 of 3

CL
CUP
No. 2024-003

7. The Federal Clean Water Act and the State General Permits for Storm Water Discharges Associated with Construction and Industrial Activities (State General Permits) require developers of construction projects disturbing one or more acres, and discharges associated with industrial activity not otherwise exempt from National Pollutant Discharge Elimination System (NPDES) permitting, to implement controls to reduce pollutants, prohibit the discharge of waters other than storm water to the municipal storm drain system, and meet water quality standards. These requirements apply both to pollutants generated during construction, and to those which may be generated by operations at the development after construction.
- a. State General Permit for Storm Water Discharges Associated with Construction Activities, effective July 1, 2010, as amended. A State General Construction Permit is required for all clearing, grading, and disturbances to the ground that result in soil disturbance of at least one acre (or less than one acre) if part of a larger common plan of development or sale). Permittees are required to: submit a Notice of Intent and Permit Registration Documents to be covered and must pay a permit fee to the State Water Resources Control Board (State Board), develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, and complete an annual certification of compliance.
 - b. State General Permit for Storm Water Discharges Associated with Industrial Activities, April, 2014 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.
 - c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.
8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
10. X See Exhibit No. 2 for additional comments, recommendations and requirements.



Debbie Campbell
Design Engineer, RCE

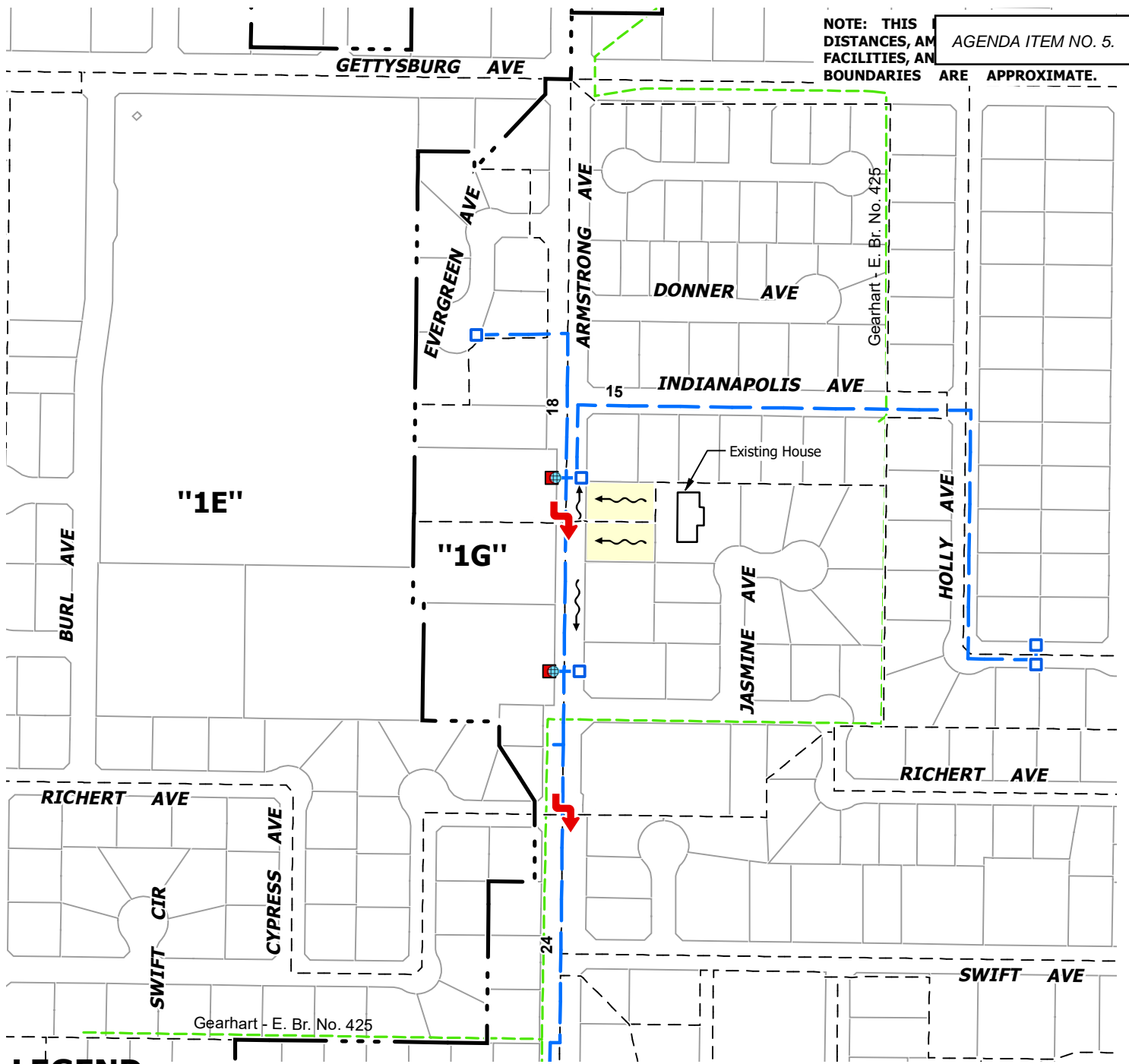
Digitally signed by Debbie Campbell Date: 5/7/2024 2:32:17 PM



Robert Villalobos
Engineering Tech III

Digitally signed by Robert Villalobos Date: 5/1/2024 4:07:04 PM

NOTE: THIS DISTANCES, AM FACILITIES, AN BOUNDARIES ARE APPROXIMATE. AGENDA ITEM NO. 5.



LEGEND

- Existing Master Plan Facilities
- Future Master Plan Facilities
- Existing Temporary Inlet
- Existing FID Facilities
- Inlet Boundary
- Drainage Area Boundary
- Major Storm Breakover
- Direction Of Drainage
- Limits Of CL CUP 2024-003



CL CUP 2024-003
DRAINAGE AREA "1G"

EXHIBIT NO. 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

OTHER REQUIREMENTS

EXHIBIT NO. 2

The minimum finish floor elevation shall be 366.72 (U.S.G.S. Datum)

The District's existing Master Plan drainage system is designed to serve medium-low density residential uses and the existing Master Plan storm drainage facilities do not have capacity to serve the density of the proposed project, which is more equivalent to an office commercial type land use. The developer shall be required to mitigate the impacts of the increased runoff from the proposed office commercial land use to a rate that would be expected if developed to medium-low density residential. The developer may either make improvements to the existing pipeline system to provide additional capacity or may use some type of permanent peak reducing facility in order to eliminate adverse impacts on the existing system. Should the developer choose to construct a permanent peak-reducing facility, such a system would be required to reduce runoff from a ten-year storm produced by an office commercial density development, to a two-year discharge, which would be produced by the property if developed medium-low density residential. Implementation of the mitigation measures may be deferred until the time of development. However, the District requests that the grading Engineer contact the District as early as possible to review the proposed site grading for verification and acceptance of mitigation design prior to preparing a grading plan.

The site shall not block the historical patterns of existing development to remain along the east side of the site. The developer shall verify to the satisfaction of the District that runoff from this area has the ability to surface drain to adjacent streets.

In an effort to improve storm runoff quality, outdoor storage areas shall be constructed and maintained such that material that may generate contaminants will be prevented from contact with rainfall and runoff and thereby prevent the conveyance of contaminants in runoff into the storm drain system.

The District encourages, but does not require that roof drains from non-residential development be constructed such that they are directed onto and through a landscaped grassy swale area to filter out pollutants from roof runoff.

May 7, 2024

Marissa Jensen
City of Clovis
Planning and Development
1033 Fifth Street
Clovis, CA 93612

Project: Conditional Use Permit 2024-003, Site Plan Review 2024-012

District CEQA Reference No: 20240473

Dear Ms. Jensen,

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Conditional Use Permit (CUP) Request from the City of Clovis (City). Per the CUP, the project consists of a 6,000 square foot Congregate Living Health Facility to provide on-site facilities to up to 18 residents in 12 rooms, including skilled nursing and various staff, physical therapy, and routine medical supervision for residents (Project). The Project is located at 2901 and 2939 Armstrong Avenue, in Clovis, CA.

The District offers the following comments at this time regarding the Project:

1) Project Related Emissions

At the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM2.5) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as nonattainment for the 8-hour ozone, PM10, and PM2.5 standards.

Based on information provided to the District, Project specific annual criteria pollutant emissions from construction and operation are not expected to exceed any of the significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI):

<https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf>.

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061
www.valleyair.org www.healthyairliving.com

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

1a) Construction Emissions

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment.

2) Health Risk Screening/Assessment

The City should evaluate the risk associated with the Project for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for the Project. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

Prioritization (Screening Health Risk Assessment):

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology. Please contact the District for assistance with performing a Prioritization analysis.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the health impacts would exceed the District's established risk thresholds, which can be found here:

<https://ww2.valleyair.org/permitting/ceqa/>.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors to prevent the creation of a significant health risk in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources>.

3) Ambient Air Quality Analysis

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for the Project if emissions exceed 100 pounds per day of any pollutant.

An AAQA uses air dispersion modeling to determine if emission increase from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website:

<https://ww2.valleyair.org/permitting/ceqa/>.

4) Vegetative Barriers and Urban Greening

There are residential units near the Project. The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residential units).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

5) Clean Lawn and Garden Equipment in the Community

Since the Project consists of a Care Facility development, gas-powered lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/> and <https://ww2.valleyair.org/grants/zero-emission-landscaping-equipment-voucher-program/>.

6) On-Site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for the Project.

7) Electric Infrastructure

To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric

charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the City and project proponents install electric vehicle chargers at project sites, and at strategic locations.

Please visit <https://ww2.valleyair.org/grants/charge-up> for more information.

8) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: <https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations>. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

8a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

This Project may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the Project proponent should submit to the District an application for an ATC. For further information or assistance, the project proponent may contact the District's SBA Office at (559) 230-5888.

8b) District Rule 9510 - Indirect Source Review (ISR)

The District has reviewed the information provided and has determined the project size is below the District Rule 9510, section 2.1 applicability threshold of 20,000 square feet of medical office development. Therefore, District Rule 9510 requirements and related fees do not apply to the project.

8c) District Rule 4601 (Architectural Coatings)

The Project may be subject to District Rule 4601 since it is expected to utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at:
<https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf>

8d) Other District Rules and Regulations

The Project may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

9) District Comment Letter

The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please contact Ryan Grossman by e-mail at Ryan.grossman@valleyair.org or by phone at (559) 230-6569.

Sincerely,

Tom Jordan
Director of Policy and Government Affairs



For: Mark Montelongo
Program Manager



CITY *of* CLOVIS

POLICE DEPARTMENT

1233 FIFTH STREET • CLOVIS, CA 93612

TO: Marissa Jensen
FROM: Corporal Jordan Hunter
DATE: 7/9/2024
RE: Congregate Care Facilities

This letter is to provide background information as it relates to the Congregate Care Facilities within the City of Clovis and a new proposed location. There has been opposition by members of the community regarding this facility due to safety and calls for service at this location.

I was asked to provide background information on these facilities to include Calls for Service from the Clovis Police Department. There are multiple congregate care facilities located within the City. Four facilities operate similarly to the proposed project. Information provided below includes Calls for Service along with a brief history.

- 1817 N Locan Ave: 1 call in 2024 for a missing person who was located and returned to the facility.
- 3019 Powers Ave: 2 calls in 2024 for municipal code related issues where a vehicle was towed for expired registration.
- 250 Villa Ave: 4 calls 2024 and 7 in 2023. Most calls are to assist the Fresno County Sheriff's Office who has inmates at this location and assaults a staff member in the facility.
- 648 W. Sierra Ave: 2 calls in 2024, one regarding a staff member threatening other staff members and the other for a patient receiving threatening calls

City Manager 559.324.2060 • Community Services 559.324.2095 • Engineering 559.324.2350
Finance 559.324.2130 • Fire 559.324.2200 • General Services 559.324.2060 • Personnel/Risk Management 559.324.2725
Planning & Development Services 559.324.2340 • Police 559.324.2400 • Public Utilities 559.324.2600 • TTY-711

www.cityofclovis.com

most likely a scam. 13 calls in 2023 mainly for welfare checks, injured persons or other crimes not related to the facility.

Based on the project proposal, the Clovis Police Department does not have any opposition to this project. Conditions have been provided as a part of the Conditional Use Permit to ensure safety for residents and staff.



CITY OF CLOVIS FIRE DEPARTMENT

1233 Fifth Street, Clovis, CA 93612 · (559) 324-2200

AGENDA ITEM NO. 5.



TO: Marissa Jensen
FROM: Life Safety Enforcement Manager, Chad Fitzgerald
DATE: 7/18/2024
RE: Congregate Care Facilities

This letter is to provide background information as it relates to the Congregate Care Facilities within the City of Clovis and a new proposed location. There has been opposition by members of the community regarding this facility due to safety and calls for service at this location.

I was asked to provide background information on these facilities to include Calls for Service from the Clovis Fire Department. There are multiple congregate care facilities located within the City. Four facilities operate similarly to the proposed project. Information provided below includes Calls for Service along with a brief history.

- 1817 N Locan Ave: 0 Calls for service in 2023.
- 3019 Powers Ave: 0 Calls for service in 2023.
- 250 Villa Ave: 4 calls for service in 2023. Most calls are for medical aid/assistance.
- 648 W. Sierra Ave: 6 calls in 2023. Most calls are for medical aid/assistance.

Based on the project proposal, the Clovis Fire Department does not have any opposition to this project. Conditions as required by the California Fire Code with local amendments have been provided as a part of the Conditional Use Permit to ensure safety for residents and staff.

July 26, 2024

Clovis City Council
1033 Fifth Street
Clovis, CA 93612

Council Members,

Thank you again for allowing us to address concerns regarding the projected Congregate Health Care Facility proposed for our neighborhood on Armstrong Avenue.


The following is a list of concerns related to the Planning Commission project CUP2024-003 located at 2901 and 2939 Armstrong Ave. Proposed 18 bed congregate health care facility. The following is derived from the neighbors of the project.

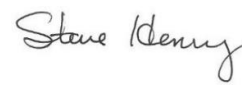
- 18 bed facility on a small lot compared to other health facilities in City of Clovis
- Proposed structure does not fit into the current residential makeup of the neighborhood
- Being built within 5'-8' of existing homes (refer to site plan)
- Lack of parking compared to other larger bed facilities in the City of Clovis
- Armstrong Avenue does not have a middle turn lane for safe access to facility
- 6' block wall is proposed compared to 7' and 8' at other City of Clovis health care facilities (residences property to north sits 2'-3' higher needing taller wall)
- Trash receptacle area is adjacent to the property line at the northwest corner of the facility, making it 5'-8' feet away from the pool area for the house to the north.

Proposed solutions;

- Reduce the number of beds to 10-12 patients
- Reduce the size of the structure to allow more parking on the premise
- Design a residential structure, not a medical facility type of structure
- Create a larger setback for the neighbors to the north of the facility – this can be done by inverting current site plan to place the facility on the south side of the property – more room between health care facility and residential structure to south (less room from houses to north)
- Increase onsite parking to alleviate safety issues that may arise on Armstrong Ave.
- Increase the block wall to 8', especially to north side residential houses
- Place trash receptacle on the south side of the property or in the middle of the health care facility

It is our intention to present these problems and solutions during the City Council meeting on August 12th. Again, thank you for your time.


Tom Judd
2210 Indianapolis


Steve Henry
2226 Indianapolis

cc: Planning and Development
Orlando Ramirez



CITY *of* CLOVIS

REPORT TO THE CITY COUNCIL

TO: Mayor and City Council

FROM: Administration

DATE: August 12, 2024

SUBJECT: Consider Approval – Designation of Voting Delegate and Alternate for the League of California Cities’ Annual Conference and Business Meeting on October 16-18, 2024.

Staff: John Holt, City Manager

Recommendation: Approve

ATTACHMENTS: 1. Annual Conference Voting Procedures Report

RECOMMENDATION

That the City Council take action to designate a Councilmember as the City’s voting delegate for the League of California Cities’ Annual Conference for transacting business at the Annual Business Meeting, and that an alternate voting delegate also be designated.

EXECUTIVE SUMMARY

The Annual Business Meeting of the League of California Cities will be conducted at the Annual League Conference held on October 18, 2024. In order for the City to cast votes on policy matters coming before the League, it must take action to designate a voting delegate and an alternate voting delegate who will be issued credentials for voting purposes. This authority may not be transferred unofficially and must be accomplished only by action of the City Council. There are no resolutions for council to consider in Attachment 1.

BACKGROUND

Voting on official business and policy matters of the League of California Cities occurs each year at the Annual Business Meeting, held in conjunction with the Annual League Conference. This year the Annual Business Meeting will be on Friday, October 18, 2024. The voting process for the Annual Business Meeting requires that a voting delegate be designated from each member city by action of the City Council. The attached report from the League of California Cities outlines the procedure to ensure integrity of the voting process.

FISCAL IMPACT

None.

REASON FOR RECOMMENDATION

In order for the City to exercise its membership responsibility for policy direction of the League of California Cities, it is necessary to vote on such matters at the Annual Business Meeting.

ACTIONS FOLLOWING APPROVAL

The League of California Cities will be advised in writing of the City Councilmember designated as the voting delegate, and the alternate voting delegate for the City of Clovis.

CONFLICT OF INTEREST

None.

Prepared by: Rebecca Simonian, Executive Assistant

Reviewed by: City Manager RS

Council Action Advised by September 25, 2024

DATE: Wednesday, July 10, 2024

TO: Mayors, Council Members, City Clerks, and City Managers

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference and Expo, Oct. 16-18, 2024
Long Beach Convention Center**

Every year, the League of California Cities convenes a member-driven General Assembly at the [Cal Cities Annual Conference and Expo](#). The General Assembly is an important opportunity where city officials can directly participate in the development of Cal Cities policy.

Taking place on Oct. 18, the General Assembly is comprised of voting delegates appointed by each member city; every city has one voting delegate. Your appointed voting delegate plays an important role during the General Assembly by representing your city and voting on resolutions.

To cast a vote during the General Assembly, your city must designate a voting delegate and up to two alternate voting delegates, one of whom may vote if the designated voting delegate is unable to serve in that capacity. Voting delegates may either be an elected or appointed official.

Action by Council Required. Consistent with Cal Cities bylaws, a city's voting delegate and up to two alternates must be designated by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

Following council action, please submit your city's delegates through [the online submission portal](#) by Wed., Sept. 25. When completing the Voting Delegate submission form, you will be asked to attest that council action was taken. You will need to be signed in to your My Cal Cities account when submitting the form.

Submitting your voting delegate form by the deadline will allow us time to establish voting delegate/alternate records prior to the conference and provide pre-conference communications with voting delegates.

Conference Registration Required. The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. Conference registration is open on the [Cal Cities](#) website.

ATTACHMENT 1

For a city to cast a vote, one voter must be present at the General Assembly and in possession of the voting delegate card and voting tool. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the voting delegate desk. This will enable them to receive the special sticker on their name badges that will admit the voting delegate into the voting area during the General Assembly.

Please view Cal Cities' [event and meeting policy](#) in advance of the conference.

Transferring Voting Card to Non-Designated Individuals Not Allowed. The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the General Assembly, they may *not* transfer the voting card to another city official.

Seating Protocol during General Assembly. At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.

The voting delegate desk, located in the conference registration area of the Long Beach Convention Center in Long Beach, will be open at the following times: Wednesday, Oct. 16, 8:00 a.m.-6:00 p.m. and Thursday, Oct. 17, 7:30 a.m.-4:00 p.m. On Friday, Oct. 18, the voting delegate desk will be open at the General Assembly, starting at 7:30 a.m., but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for submitting your voting delegate and alternates by Wednesday, Sept. 25. If you have questions, please contact Zach Seals at zseals@calcities.org.

Attachments:

- General Assembly Voting Guidelines
- Information Sheet: Cal Cities Resolutions and the General Assembly



General Assembly Voting Guidelines

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to Cal Cities policy.
2. **Designating a City Voting Representative.** Prior to the Cal Cities Annual Conference and Expo, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the voting delegate form provided to the Cal Cities Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the voting delegate desk in the conference registration area. Voting delegates and alternates must sign in at the voting delegate desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the General Assembly.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the credentials committee at the voting delegate desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in their possession the city's voting card and voting tool; and be registered with the credentials committee. The voting card may be transferred freely between the voting delegate and alternates but may not be transferred to another city official who is neither a voting delegate nor alternate.
6. **Voting Area at General Assembly.** At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.
7. **Resolving Disputes.** In case of dispute, the credentials committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the General Assembly.

Developing League of California Cities policy is a dynamic process that engages a wide range of members to ensure Cal Cities represents cities with one voice. These policies directly guide Cal Cities' advocacy to promote local decision-making, and lobby against statewide policies that erode local control.

The resolutions process and General Assembly is one way that city officials can directly participate in the development of Cal Cities policy. If a resolution is approved at the General Assembly, it becomes official Cal Cities policy. Here's how resolutions and the General Assembly work.

Prior to the Annual Conference and Expo

General Resolutions



Sixty days before the Annual Conference and Expo, Cal Cities members may submit policy proposals on issues of importance

to cities. The resolution must have the concurrence of at least five additional member cities or individual members.

Policy Committees



The Cal Cities President assigns general resolutions to policy committees where members

review, debate, and recommend positions for each policy proposal. Recommendations are forwarded to the Resolutions Committee.

During the Annual Conference and Expo

Petitioned Resolutions



The petitioned resolution is an alternate method to introduce policy proposals during

the annual conference. The petition must be signed by voting delegates from 10% of member cities, and submitted to the Cal Cities President at least 24 hours before the beginning of the General Assembly.

Resolutions Committee



The Resolutions Committee considers all resolutions. General Resolutions approved¹ by either a policy committee

or the Resolutions Committee are next considered by the General Assembly. General resolutions not approved, or referred for further study by both a policy committee and the Resolutions Committee do not go to the General Assembly. All Petitioned Resolutions are considered by the General Assembly, unless disqualified.²

General Assembly



During the General Assembly, voting delegates debate and consider general and petitioned resolutions forwarded by the Resolutions Committee. Potential Cal Cities bylaws amendments are also considered at this meeting.

Who's who

Cal Cities policy development is a member-informed process, grounded in the voices and experiences of city officials throughout the state.

The **Resolutions Committee** includes representatives from each Cal Cities diversity caucus, regional division, municipal department, and policy committee, as well as individuals appointed by the Cal Cities president.

Voting delegates are appointed by each member city; every city has one voting delegate.

The **General Assembly** is a meeting of the collective body of all voting delegates—one from every member city.

Seven **policy committees** meet throughout the year to review and recommend positions to take on bills and regulatory proposals. Policy committees include members from each Cal Cities diversity caucus, regional division, and municipal department, as well as individuals appointed by the Cal Cities president.

¹ The Resolution Committee can amend a general resolution prior to sending it to the General Assembly.

² Petitioned Resolutions may be disqualified by the Resolutions Committee according to Cal Cities Bylaws Article VI. Sec. 5(f).