



# CITY of CLOVIS

AGENDA • MARCH 28, 2019

**Thursday, March 28, 2019**

Council Chamber, 1033 Fifth Street, Clovis, CA 93612 (559) 324-2340

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

Commission Members: Amy Hatcher Chair, Paul Hinkle Chair Pro Tem, Alma Antuna, Brandon Bedsted, Mike Cunningham

The Planning Commission welcomes you to this meeting.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate at this meeting, please contact Planning Division staff at (559) 324-2340. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the City of Clovis Planning Division, located in the Planning and Development Services building, between 8:00 a.m. and 3:00 p.m. Monday through Friday. In addition, such writings and documents may be posted on the City's website at [www.cityofclovis.com](http://www.cityofclovis.com).

## ABOUT THE MEETING

The Planning Commission consists of five Clovis residents appointed by the City Council to make decisions and recommendations on City planning issues. Decisions made by the Planning Commission may be appealed to the City Council.

After the approval of minutes, the Chairperson of the Planning Commission will ask for business from the floor. If you wish to discuss something which is NOT listed on the agenda, you should speak up at this time.

Next, the Planning Commission will discuss each item listed on the agenda. For the items on the agenda which are called "public hearings," the Planning Commission will try to follow the procedure listed below:

For each matter considered by the Commission, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from supporters of the project will then be taken, followed by testimony from those in opposition. The applicant will have the right to a final rebuttal presentation prior to closing the public hearing. Once this is complete, the Chairperson will close the public hearing and the Commission will discuss the item and cast their votes.

If you wish to speak on an item, please step to the podium and clearly state your name and address for the record. The Planning Commission wants to know how you feel about the items they are voting on, so please state your position clearly. In accordance with Section 13 of Article 2 of the Planning Commission Rules and Regulations governing length of public debate, all public testimony from those in support and in opposition to the project will be limited to five minutes per person. In order for everyone to be heard, please limit your comments to 5 minutes or less.

\* \* \* \* \*

## CALL TO ORDER

## FLAG SALUTE

## ROLL CALL

## APPROVAL OF MINUTES

1. Minutes from the February 28, 2019, meeting.

## COMMISSION SECRETARY COMMENTS

## PLANNING COMMISSION MEMBER COMMENTS

## COMMUNICATIONS AND REFERRALS

## BUSINESS FROM THE FLOOR

This is an opportunity for the members of the public to address the Planning Commission on any matter that is not listed on the Agenda.

## PUBLIC HEARINGS

2. Consider Approval, TM6123, A request to approve a one-year extension to an approved tentative tract map for property located on the north side of Shaw Avenue, west of Highland Avenue. Fagundes Dairy, owner/ applicant; Precision Civil Engineering, representative.

Staff: George González, MPA, Associate Planner

Recommendation: Approve

3. Consider items associated with approximately 7.5 acres of land located at the southwest corner of Herndon and N. McKelvy Avenues. Mark O'Polo Enterprises, Inc., owners/ applicant; Kent P. Rodrigues, representative.

- a. Consider Approval, Res. 19-\_\_\_, A request to approve an environmental finding of a Mitigated Negative Declaration for Rezone R2018-11, Conditional Use Permit CUP2018-13 and Site Plan Review SPR2018-25.
- b. Consider Approval, Res. 19-\_\_\_, **R2018-11**, A request to approve a rezone from the R-A (Single-Family Residential – 24,000 Sq. Ft.) Zone District to the R-3 (Medium Density Multiple Family Residential-(1 Unit/2,000 Sq. Ft.) Zone District.
- c. Consider Approval, Res. 19-\_\_\_, **CUP2018-13**, A request to approve a conditional use permit to allow 3-story buildings and 48-feet, 6-inches in height for Building Types 1, 1A and 3. Additionally, allow 36-feet, 4-inches in height for Building Types 2 and 5, allow 36-feet, 3-inches in height for Building Type 5A. The Code allows a maximum height of 2 stories and 35-feet for main structures.

Staff: George González, MPA, Associate Planner

Recommendation: Approve

#### ADJOURNMENT

<b>Meetings and Key Issues</b>			
April 18, 2019	6:00 P.M.	Regular Meeting	Council Chamber
May 23, 2019	6:00 P.M.	Regular Meeting	Council Chamber
June 27, 2019	6:00 P.M.	Regular Meeting	Council Chamber
July 25, 2019	6:00 P.M.	Regular Meeting	Council Chamber

CLOVIS PLANNING COMMISSION MINUTES  
February 28, 2019

A regular meeting of the Clovis Planning Commission was called to order at 6:00 p.m. by Chair Hatcher in the Clovis Council Chamber.

Flag salute led by Commissioner Cunningham

Present: Commissioners Antuna, Bedsted, Cunningham, Hinkle, Chair Hatcher

Absent: None

Staff: Bryan Araki, City Planner  
Orlando Ramirez, Deputy City Planner  
Ricky Caperton, Senior Planner  
George Gonzalez, Associate Planner  
Sean Smith, Associate Civil Engineer

MINUTES

1. The Commission approved the January 24, 2019, minutes with a correction by a vote of 5-0.

COMMISSION SECRETARY

City Planner Bryan Araki introduced new Senior Planner Ricky Caperton and invited the Commission members to attend the May 9<sup>th</sup> Mayor's Breakfast and the March 11<sup>th</sup> Joint Meeting between the City Council and the Veterans Memorial District. He also provided a quick briefing on current status of staff's housing element efforts.

Deputy City Planner Orlando Ramirez recognized City Planner Araki's birthday.

PLANNING COMMISSION MEMBERS COMMENTS

None

COMMUNICATIONS AND REFERRALS

An item of correspondence related to Agenda Item X-4.

BUSINESS FROM THE FLOOR

None

CONSENT CALENDAR

None



## PUBLIC HEARINGS

2. Consider approval, **TM6125**, A request to approve a one-year extension to an approved vesting tentative tract map for property located near the northwest corner of Peach and Stuart Avenues. Beal Development, LLC, owner/applicant.

Associate Planner George Gonzalez presented the staff report.

At this point, the Chair opened the floor to the applicant.

George Beal of 1175 Shaw Avenue provided a brief explanation of the reason for the request.

At this point, the Chair opened the floor to those in favor.

There being none, the Chair opened the floor to those in opposition.

There being none, the Chair closed the public portion.

Commissioner Hinkle sought and received confirmation that there had been no changes to the originally approved project.

At this point, a motion was made by Commissioner Cunningham and seconded by Commissioner Antuna to approve an extension to TM6125. The motion was approved by a vote of 5-0.

3. Consider approval Res. 19-07, **CUP2018-16**, A request to approve a conditional use permit to allow a church to operate within an existing commercial building located on the southwest corner of Gettysburg and Phillip Avenues (1030 Gettysburg Avenues, #100). Mark & Brad General Partners, owners; Rodney Ainsworth, Foundation Baptist Church, applicant; Jeff Davis, owner's representative.

Senior Planner Ricky Caperton presented the staff report.

At this point, the Chair opened the floor to the applicant.

Rodney Ainsworth expressed gratitude to the Commission for reviewing his project.

Commissioner Antuna inquired as to the current number of church members, or whether this is an entirely new church. Mr. Ainsworth responded that current membership is approximately 125 members.

At this point, the Chair opened the floor to those in favor.

There being none, the Chair opened the floor to those in opposition.

There being none, the Chair closed the public portion.

Commissioner Hinkle sought confirmation that this location has been approved for this type of facility for the last few years. Senior Planner Caperton explained that though there had previously been a church at this location, it had no entitlements attached to it.

Commissioner Hinkle then sought and received confirmation that the location directly west of the subject site had previously come before the Planning Commission for church use approval.

At this point a motion was made by Commissioner Antuna and seconded by Commissioner Bedsted to approve CUP2018-16. The motion was approved by a vote of 5-0.

4. Consider approval Res. 19-08, **TM6260**, A request to approve a tentative tract map for a 34-lot single-family residential subdivision located at the northeast corner of Shaw and Locan Avenues. Wathen Family Builders, owner/applicant; Yamabe & Horn Engineering, Inc., representative.

Associate Planner George Gonzalez presented the staff report.

At this point, the Chair opened the floor to the applicant.

Chris Kliever of Yamabe & Horn Engineering, 2985 N. Burl Avenue, Fresno, provided some background information on the project and offered to answer any questions.

At this point, the Chair opened the floor to those in favor.

Pat Duncan of 3109 Poe Avenue informed that she is in attendance to find out what is happening and report back to her neighbors, as they have watched the site remain unbuilt for four years. She inquired as to when building would begin if approved.

Associate Planner Gonzalez deferred to Associate Civil Engineer Sean Smith, who provided the Engineering Division's timeline. Mr. Kliever provided information on the delays and the current timeline to begin construction, indicating that the applicant is ready to move forward and with approval, they anticipate finalizing the final map shortly thereafter.

Commissioner Cunningham inquired as to whether this property had previously been owned by the church to the north. Mr. Kliever responded that he believed that was the case, and that as far as he was aware, there had been a lot of cooperation with the church for this project. He explained that his uncertainty was due to joining the project later in the process.

Commissioner Cunningham then inquired of staff if this property had been intended previously for mixed use, including retail. City Planner Araki responded that the property he was referring to was a different one located at Ashlan and Locan Avenues that happened to have a similar setup.

At this point, the Chair opened the floor to those in opposition.

There being none, the Chair closed the public portion.

At this point a motion was made by Commissioner Bedsted and seconded by Commissioner Antuna to approve TM6260. The motion was approved by a vote of 5-0.

5. Consider approval Res. 19-9, **OA2019-01**, A request to amend the Clovis Development Code as a semi-annual cleanup to address typographical, grammatical, and content errors as a result of the 2014 Development Code Update, to make the "Cottage Home

Program” available citywide to single-family residential zoning districts where alley access is provided, and to make the necessary modifications to reflect recent changes to State housing law. City of Clovis, applicant.

Senior Planner Ricky Caperton presented the staff report.

At this point, the Chair opened the floor to those in favor.

There being none, the Chair opened the floor to those in opposition.

There being none, the Chair closed the public portion.

Commissioner Bedsted inquired as to the rationale behind the initial limitation of the Cottage Home Program to the Old Town Clovis area. City Planner Araki explained the background of the program related to that limitation.

Commissioner Bedsted expressed appreciation for the City’s progressive stance on the program and his curiosity regarding difficulties encountered and addressed during the initial rollout as well as the level of expressed interest in the expanded area. Planning Technician II Maria Spera and Deputy City Planner Ramirez provided information in relation to these inquiries.

Commissioner Bedsted inquired as to whether this proposed change will affect the City’s density requirements. City Planner Araki responded positively, providing an explanation.

Commissioner Hinkle sought and received confirmation that the applicable lots could not be subdivided in the future, then inquired as to whether these units could be used as weekend rentals. Senior Planner Caperton responded that they can indeed be rented. City Planner Araki responded that the units can be used as airbnb’s, with Deputy City Planner Ramirez explaining that such short-term rentals are a permitted use. Planning Technician Spera informed that one unit is already being successfully used as such.

Commissioner Hinkle expressed his appreciation on how the program will help the City with its affordable housing needs, something he sees as being a huge issue before the Commission in the next six months.

Commissioner Antuna expressed great excitement regarding the success and expansion of the Cottage Home Program, as she had been part of the committee that worked on the Central Clovis Specific Plan update that included the standards for the program. In her opinion, it is a program that beautifies the City, provides affordable housing, and creates desperately-needed potential student housing. She praised the Planning Department’s foresight in developing this program.

At this point a motion was made by Commissioner Antuna and seconded by Commissioner Cunningham to approve OA2019-01. The motion was approved by a vote of 5-0.

## OLD BUSINESS

None

## NEW BUSINESS

Agenda and Technology Training

ADJOURNMENT AT 6:40 P.M. UNTIL the Planning Commission meeting on March 28, 2019.

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Amy Hatcher, Chair

AGENDA ITEM NO: 2**CITY of CLOVIS**

## REPORT TO THE PLANNING COMMISSION

TO: Clovis Planning Commission

FROM: Planning and Development Services

DATE: March 28, 2019

SUBJECT: Consider Approval, TM6123, A request to approve a one-year extension to an approved tentative tract map for property located on the north side of Shaw Avenue, west of Highland Avenue. Fagundes Dairy, owner/applicant; Precision Civil Engineering, representative.

Staff: George González, MPA, Associate Planner

Recommendation: Approve

ATTACHMENTS: 1. Request for Extension  
2. Location Map  
3. Tentative Tract Map TM6123

**CONFLICT OF INTEREST**

None.

**RECOMMENDATION**

Staff recommends that the Planning Commission approve an extension of Tentative Tract Map TM6123.

**EXECUTIVE SUMMARY**

The applicant is requesting the first one-year extension for Tentative Tract Map TM6123 per the California Subdivision Map Act. The property is located on the north side of Shaw Avenue, west of Highland Avenue. Approval of the extension will allow the applicant to continue working toward development of an approved 151-lot single-family residential development.

## BACKGROUND

- General Plan Designation: Medium Density Residential (4.1 to 7 DU/AC) & Low Density Residential (2.1 to 4 DU/AC)
- Specific Plan Designation: Loma Vista Specific Plan (Medium and Low Residential)
- Existing Zoning: R-1 (Single-Family Residential - 6,000 Sq. Ft.) Zone District
- Lot Size: 40 Acres
- Current Land Use: Agriculture
- Adjacent Land Uses:
  - North: Rural Residential
  - South: Single Family Residential
  - East: Rural Residential
  - West: Rural Residential
- Previous Entitlements: R2015-11 and TM6213

## PROPOSAL AND ANALYSIS

Tentative Tract Map TM6123, is a 151-lot single-family residential development with public streets and standard city sidewalks. Tentative Tract Map TM6123 was originally approved by the Planning Commission on February 25, 2016. The map was approved concurrently with a Prezone R2015-11 to accommodate a 151-lot single-family residential development. As provided for in the Subdivision Map Act, an original approval period is granted for three years, after which the applicant may request up to five extensions in one-year increments. This is the first request.

The applicant is requesting a one-year extension for Tentative Tract Map TM6123 which would extend the approval to February 25, 2020.

### Findings for Approval

The findings to consider when making a decision on a tentative map extension include:

1. There have been no changes to the provisions of the General Plan, any applicable specific plan, or this Development Code applicable to the project since the approval of the tentative map.

*Staff's Response: Since the approval of TM6123, there have been numerous changes to the Development Code. However, the changes do not impact the approval of an extension.*

2. There have been no changes in the character of the site or its surroundings that affect how the policies of the General Plan, any applicable specific plan, or other

standards of this Development Code apply to the project.

*Staff's Response: The property has remained unchanged since the original map approval in February of 2016. There have been no changes in the character of the site, which remains as an agricultural use. Additionally, there have been no changes to the properties surrounding Tentative Tract Map TM6123. Therefore, the policies of the General Plan and Development Code remain effective and applicable to TM6123.*

3. There have been no changes to the capacities of community resources, including but not limited to water supply, sewage treatment or disposal facilities, roads, or schools so that there is no longer sufficient remaining capacity to serve the project.

*Staff's Response: Staff concurs that there have been no change to community resources and can accommodate the approved*

*Project.*

#### California Environmental Quality Act (CEQA)

The applicant's project is in substantial conformance with the environmental analysis performed for the General Plan Update, Development Code Update and Loma Vista Specific Plan EIR. No major revisions will be required with the adopted Environmental Impact Report to accommodate the proposed project, therefore, subject to California Government Code Section 65457 no further environmental review is required for this project.

The City published notice of this public hearing in *The Business Journal* on Wednesday, March 6, 2019.

#### **REASON FOR RECOMMENDATION**

The proposed extension request is consistent with the General Plan Land Use Diagram, Loma Vista Specific Plan, Development Code and Subdivision Map Act. Therefore, staff recommends that the Planning Commission approve a one-year extension for TM6123.

#### **ACTIONS FOLLOWING APPROVAL**

None.

#### **FISCAL IMPACT**

None.

**NOTICE OF HEARING**

Property owners within 600 feet notified: 140  
Interested individuals notified: 10

Prepared by: George González, MPA, Associate Planner

Reviewed by:

  
\_\_\_\_\_  
Bryan Araki  
City Planner





February 7, 2019

George Gonzalez  
City of Clovis  
1033 Fifth Street  
Clovis, CA 93612

Subject: Tentative Tract Map 6123 – Extension Request

George,

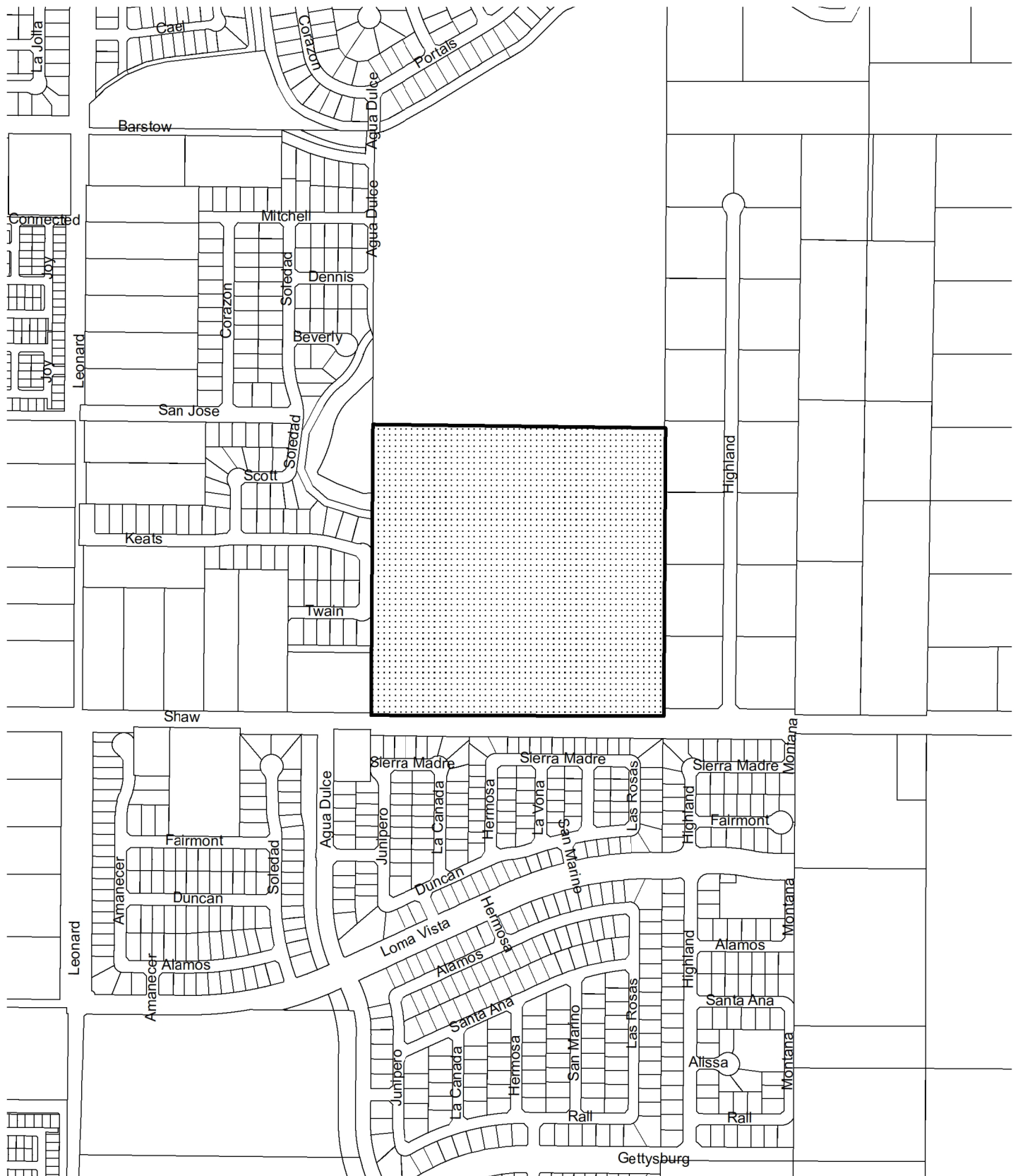
On behalf of Fagundes Bros. Dairy, we would like to formally request a one-year map extension for Tentative Tract Map 6123, due to expire on February 25, 2019. As you are aware, we have been working diligently with the City of Clovis and Fagundes Bros. Dairy to finalize plans for the above referenced map.

We appreciate your consideration of this request. Please feel free to contact us if you have any questions.

Sincerely,

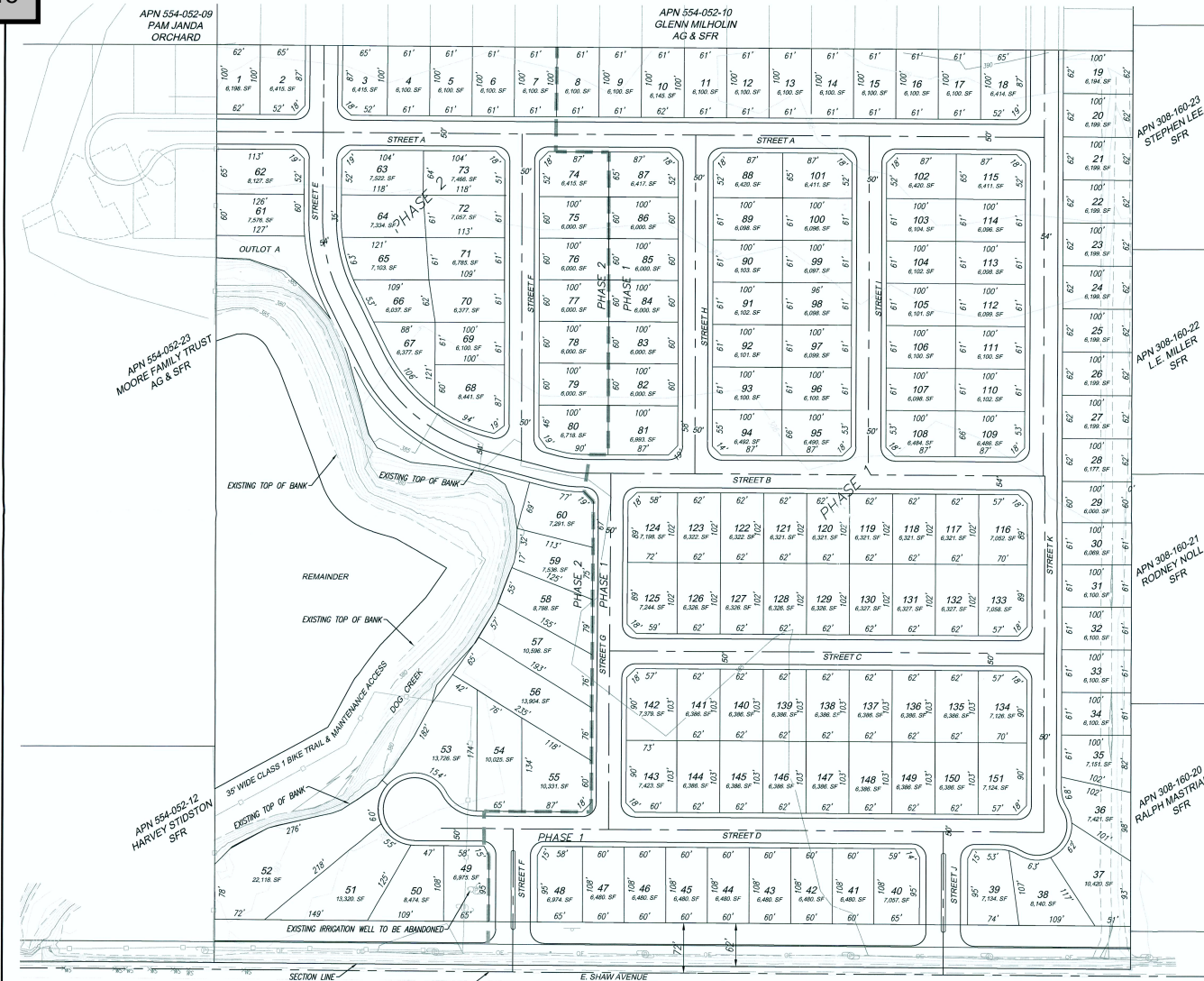
A handwritten signature in black ink, appearing to read "Ed Dunkel, Jr.", followed by a long, vertical flourish line.

Ed Dunkel, Jr.  
President



CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA  
CONSISTING OF ONE SHEET  
PREPARED ON JULY 8, 2014

CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA  
CONSISTING OF ONE SHEET  
PREPARED ON JULY 8, 2014



A site location map showing the intersection of E. Barstow Ave, N. Leonard Ave, E. Shaw Ave, and Highland Ave. A shaded rectangular area labeled "SITE" is located between N. Leonard Ave and Highland Ave, and between E. Shaw Ave and E. Barstow Ave.

VICINITY MAP  
NOT TO SCALE

### SITE INFORMATION

OWNER: FAGUNDES DAIRY  
PO BOX 2717  
MERCED, CA 95344  
PH 209-383-6046

SITE ADDRESS:  
8800 E. SHAW AVENUE  
CLOVIS, CA 93619

APN: 554-052-11

NOTES:

1. THE PROPERTY WAS RECENTLY PLANTED IN ORCHARD TREES.
2. SINGLE FAMILY RESIDENTIAL USE IS INTENDED ON THE SUBJECT PROPERTY.
3. ZONING:  
EXISTING: AE-20  
PROPOSED: R-1
4. NO EXISTING STRUCTURES, DOMESTIC WELLS, SEPTIC SYSTEMS, OR TOWERS ARE KNOWN TO EXIST ON THE SITE. SOME TREES EXIST ALONG DUCK CREEK. SITE IS A RECENTLY PLANTED ORCHARD WITH AN IRRIGATION WELL AND PUMP FACILITIES LOCATED JUST NORTH OF E. SHAW AVENUE IN THE SOUTHWEST PORTION OF THE SITE.
5. ALL IMPROVEMENTS SHALL CONFORM TO CITY OF CLOVIS STANDARDS.
6. THE PROPOSED SOURCE OF WATER SUPPLY SHALL BE CITY OF CLOVIS. NEAREST WATER FACILITIES ARE 30" AND 24" WATER MAINS LOCATED IN N. LEONARD AVENUE.
7. THE PROPOSED METHOD OF SEWAGE DISPOSAL SHALL BE CITY OF CLOVIS. NEAREST SEWER FACILITY IS A 12" SEWER MAIN IN N. LEONARD AVENUE.
8. THE FOLLOWING UTILITIES ARE TO BE PROVIDED: GAS & ELECTRIC, PHONE, & CABLE.

PREPARED BY:



1234 O STREET FRESNO, CA 93721 PH(559)449-4500 FAX(559)449-4515



AGENDA ITEM NO: 3

# CITY of CLOVIS

## REPORT TO THE PLANNING COMMISSION

TO: Clovis Planning Commission

FROM: Planning and Development Services

DATE: March 28, 2019

SUBJECT: Consider items associated with approximately 7.5 acres of land located at the southwest corner of Herndon and N. McKelvy Avenues. Mark O'Polo Enterprises, Inc., owners/ applicant; Kent P. Rodrigues, representative.

- a. Consider Approval, Res. 19-\_\_\_, A request to approve an environmental finding of a Mitigated Negative Declaration for Rezone R2018-11, Conditional Use Permit CUP2018-13 and Site Plan Review SPR2018-25.
- b. Consider Approval, Res. 19-\_\_\_, **R2018-11**, A request to approve a rezone from the R-A (Single-Family Residential – 24,000 Sq. Ft.) Zone District to the R-3 (Medium Density Multiple Family Residential- (1 Unit/2,000 Sq. Ft.) Zone District.
- c. Consider Approval, Res. 19-\_\_\_, **CUP2018-13**, A request to approve a conditional use permit to allow 3-story buildings and 48-feet, 6-inches in height for Building Types 1, 1A and 3. Additionally, allow 36-feet, 4-inches in height for Building Types 2 and 5, allow 36-feet, 3-inches in height for Building Type 5A. The Code allows a maximum height of 2 stories and 35-feet for main structures.

Staff: George González, MPA, Associate Planner  
 Recommendation: Approve

ATTACHMENTS:    1. Initial Study & Mitigated Negative Declaration  
                         2. Location Map  
                         3. R2018-11 & CUP2018-13 Conditions of Approval  
                         4. Draft Resolutions  
                         5. Correspondence from Commenting Agencies  
                         6. Building Floor Plans  
                         7. Recreation Building Floor Plan  
                         8. Unit Floor Plans  
                         9. Building Elevations  
                         10. Landscape Plan  
                         11. Site Plan

### **CONFLICT OF INTEREST**

None.

### **RECOMMENDATION**

Staff recommends that the Planning Commission:

- Adopt a Mitigated Negative Declaration for R2018-11, CUP2018-13 and SPR2018-25, pursuant to CEQA Guidelines; and
- Approve Rezone R2018-11; subject to the conditions of approval listed as Attachment 3; and
- Approve Conditional Use Permit CUP2018-13; subject to the conditions of approval listed as Attachment 3.

### **EXECUTIVE SUMMARY**

The applicant is requesting to rezone approximately 7.5 acres of property located at the southwest corner of Herndon and N. McKelvy Avenues from the R-A (Single-Family Residential – 24,000 Sq. Ft.) Zone District to the R-3 (Medium Density Multiple Family Residential - 1 Unit/2,000 Sq. Ft.) Zone District. Additionally, the applicant is requesting a conditional use permit approval to allow 3-story buildings and increase the maximum height for specific buildings located along the north and west boundaries. Approval of this Project would allow the developer to continue processing Site Plan Review SPR2018-25 and development drawings for the multi-family development.

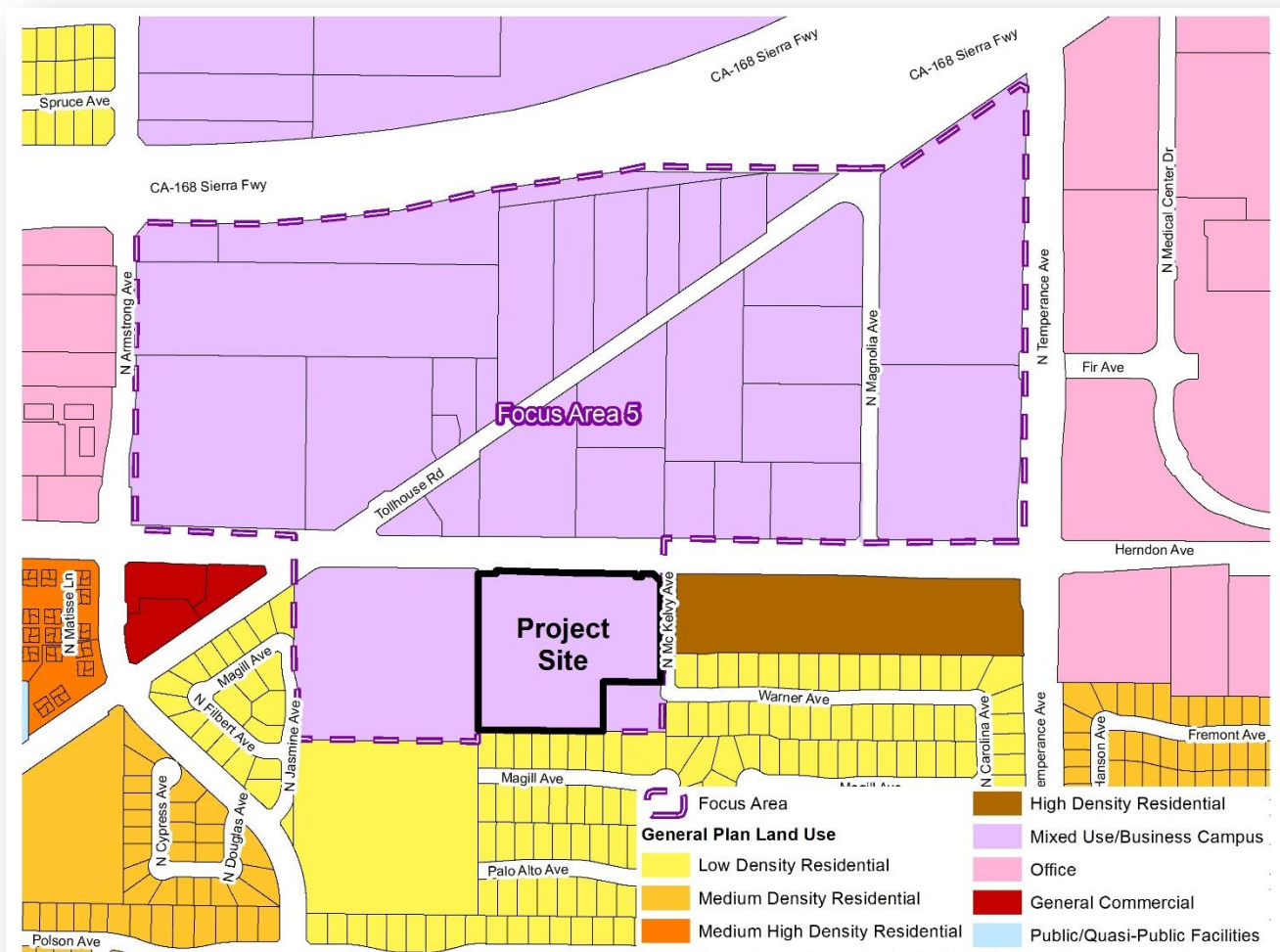


## BACKGROUND

- General Plan Designation: Mixed Use/ Business Campus
- Existing Zoning: R-A (Single Family Residential – 24,000 Sq. Ft.)
- Lot Size: 7.5 acres
- Current Land Use: Vacant
- Adjacent Land Uses:
  - North: Commercial – Light Manufacturing Use/ Vacant
  - South: Single-Family Residential
  - East: Multi-Family Residential & Single-Family Residential
  - West: Rural Residential
- Previous Entitlements: PME2018-08 (Lot Line Adjustment)

Per the General Plan Land Use Diagram, the Project site is located under Mixed Use Focus Area #5, which provides a primary use of Business Park, Commercial and Office. A secondary use under this Focus Area includes Medium High Density Residential for up to 25% of the area. The targeted density for the 25% multi-family residential component under Mixed Use Focus Area #5 is High Density Residential (15.1-25.0 DU/Ac).

### Mixed Use Focus Area #5



## PROPOSAL AND ANALYSIS

### Rezone

The applicant is requesting to rezone the Project site from the R-A (Single Family Residential – 24,000 Sq. Ft.) Zone District to the R-3 (Medium Density Multiple Family Residential - 1 Unit/2,000 Sq. Ft.) Zone District. The project's proposed rezone is consistent with the General Plan and Mixed Use Focus Area #5 and approval of the proposed rezone to the R-3 Zone District would accommodate the development of a 158-unit multi-family development at the subject site. The multi-family density is proposed at 21.18 units per acre which is consistent with the target density of Focus Area #5.

#### Development Standards

The Project will follow the development standards of the R-3 Zone District and the Multiple Family Residential Design Guidelines. The standards include building setbacks, lot coverage and minimum parcel size.

### Conditional Use Permit

The applicant is also requesting approval of a conditional use permit to allow 3-story buildings at 48-feet, 6-inches in height for Buildings 1, 1A and 3 (see Attachment 11). Additionally, the applicant is requesting 36-feet, 4-inches in height for Buildings 2 and 5 and 36-feet, 3-inches in height for Building 5A.

The applicant is requesting a conditional use permit in an effort to obtain the target density of Focus Area #5. Developing at the lower range (20 units per acre) requires either 3-story units or reduced parking requirements. The Code allows a maximum height of 2 stories and 35-feet for main structures by right. Greater building height may be granted through the conditional use permit process, however, shall not exceed 3 stories or 60-feet in height.

#### Parking Requirements

The Development Code requires 2 parking spaces for each Studio, 1 and 2 bedroom units, and 3 parking spaces for each 3 bedroom or more units. Based on the proposed 158-unit multi-family development, the applicant is required to provide a total of 348 parking spaces, of which at least 158 shall be covered.

The proposed site plan is currently providing a total of 326 parking spaces, including 158 covered parking. Therefore, the site plan will need to be modified to provide an additional 22 open parking spaces to comply with the Development Code and Multiple Family Design Guidelines. The applicant may use the optional 17-foot stall with 3-foot bumper overhang. This modification will be addressed during the Site Plan Review process.

### Architectural Elevations

The proposed elevations include materials consistent with multi-family developments found throughout the City of Clovis (see Attachment 9). The developer is utilizing materials such as stucco, decorative stone veneer, band board with stucco finish, and wood or vinyl siding accent.

### Landscape Setbacks

The General Plan adopted specific street section designs for various streets. Herndon Avenue is proposed to have a 25-foot landscape/pedestrian setback, with a 10-foot parkway, 5-foot sidewalk and a 10-foot landscape setback. N. McKelvy Avenue is proposed to have a 20-foot landscape/pedestrian setback, with a 5-foot parkway, 5-foot sidewalk and a 10-foot landscape setback. The wall for the multi-family development along the Herndon Avenue frontage shall be a 6-foot split face masonry wall from the highest side.

Specific locations and type of trees to be utilized along Herndon and N. McKelvy Avenues shall be reviewed during the site plan review process.

### Site Plan Review SPR2018-25

The applicant has submitted a Site Plan Review application for the proposed multi-family development. Through the Site Plan Review process, staff will review elevations, floor plans, parking, community building, pool, common use space, fencing, lighting, and landscaping.

### Police Department Comments

The Clovis Police Department has reviewed the Project and has expressed the potential for additional security measures to be placed within the Project site. The applicant will work with the Police Department to address the need for cameras and other security measures at key pedestrian and vehicular access points.

### Regional Housing Needs Allocation

The Project site is currently zoned R-A, therefore, was not eligible to be included in the Regional Housing Needs Allocation (RHNA), Housing Inventory within the 2015-2023 Housing Element. Rezoning of this parcel would add 158 units to the City's RHNA inventory.

### Neighborhood Meeting

Although not required, the applicant held a neighborhood meeting on Thursday, August 16, 2018, at the Fairfield Inn & Suites, Clovis CA. The meeting was attended by staff and area property owners who reside in the single-family residential neighborhood to the east and south of the Project site. Concerns raised included access, privacy to existing homes to the south, and that the City does not need additional multiple-family projects in this area.



### Public Comments

A public notice was sent to area residents within 600 feet of the property boundaries. Staff has not received comments or concerns from the public upon finalization of this report.

### Review and Comments from Agencies

The Project was distributed to all City Divisions as well as outside agencies, including Cal Trans, Clovis Unified School District, Fresno Irrigation District, Fresno Metropolitan Flood Control District, AT&T, PG&E, San Joaquin Valley Air Pollution Control District, and the State Department of Fish and Wildlife.

Comments received are attached only if the agency has provided concerns, conditions, or mitigation measures. Routine responses and comment letters are placed in the administrative record and provided to the applicant for their records.

Clovis Unified School District provided comments expressing concern of re-designation of the land use. The Project does not include a request to re-designate the land use. Very-High Density residential is consistent with the General Plan.

### Consistency with General Plan Goals and Policies

Staff has evaluated the Project in light of the General Plan Land Use goals and policies. The following goals and policies reflect Clovis' desire to maintain Clovis' tradition of responsible planning and well managed growth to preserve the quality of life in existing neighborhoods and ensure the development of new neighborhoods with an equal quality of life. The goals and policies seek to foster more compact development patterns that can reduce the number, length and duration of auto trips.

**Goal 5:** A city with housing, employment, and lifestyle opportunities for all ages and incomes of residents.

**Policy 5.1 Housing variety in developments.** The Clovis General Plan has been planned to provide a variety of housing product types suitable to each stage of a person's life. Each development should contribute to a diversity of housing sizes and types within the standards appropriate to the land use designation. This policy does not apply to projects smaller than five acres.

**Policy 5.2 Ownership and rental.** Encourage a mixture of both ownership and rental options to meet varied preferences and income affordability needs.

**Policy 5.6 Workforce housing.** Encourage the development of workforce housing that serves the needs of those working in Clovis.

California Environmental Quality Act (CEQA)

The City of Clovis has completed an environmental review (an assessment of the project's impact on natural and manmade environments) of the proposed project, as required by the State of California. The City Planner has recommended approval of a Mitigated Negative Declaration (a written statement announcing that this project will not have a significant effect on the environment). Recommendation of a proposed Mitigated Negative Declaration does not necessarily mean this project will be approved.

The City published notice of this public hearing in *The Business Journal* on Wednesday, March 6, 2019.

**REASON FOR RECOMMENDATION**

The proposal will provide multi-family residential units and a quality residential environment for this area as envisioned by Mixed Use Focus Area #5 of the General Plan. The Project does not substantially impact sewer, water and other public services and will contribute to their proportionate share of infrastructure. The proposed rezone and conditional use permit are consistent with the goals and policies of the General Plan, Multiple Family Design Guidelines and Development Code. Staff therefore recommends that the Planning Commission approve Rezone R2018-11 and Conditional Use Permit CUP2018-13, subject to the conditions of approval attached as Attachment 3.

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

1. The proposed amendment is consistent with the goals, policies, and actions of the General Plan; and
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.
3. The parcel is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning designations and anticipated land uses/projects. (§ 2, Ord. 14-13, eff. October 8, 2014)
4. The Planning Commission does approve a Mitigated Negative Declaration for the project pursuant to CEQA guidelines.

The findings to consider when making a decision on a conditional use permit 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 this Development Code;
2. The proposed use is consistent with the General Plan and any applicable specific 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;
4. The subject parcel is physically suitable in size and shape for the type and density/intensity of use being proposed;
  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; and
  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. (§ 2, Ord. 14-13, eff. October 8, 2014)
  7. The Planning Commission does approve a Mitigated Negative Declaration pursuant to CEQA guidelines.

### **ACTIONS FOLLOWING APPROVAL**

These items will continue on to the City Council for final consideration.

### **FISCAL IMPACT**


None.

### **NOTICE OF HEARING**

Property owners within 600 feet notified:	90
Interested individuals notified:	10

Prepared by: George González, MPA, Associate Planner

Reviewed by:

  
\_\_\_\_\_  
Bryan Araki  
City Planner

**REZONE R2018-11**  
**CONDITIONAL USE PERMIT CUP2018-13**  
**SITE PLAN REVIEW SPR2018-25**  
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

---

PREPARED BY:



**CITY *of* CLOVIS**

**PLANNING & DEVELOPMENT**

1033 FIFTH STREET • CLOVIS, CA 93612

Planning Division  
1033 Fifth Street  
Clovis, CA 93612

Project Manager:  
George González, Associate Planner  
559-324-2383  
[georgeg@cityofclovis.com](mailto:georgeg@cityofclovis.com)

**March 2019**

**ATTACHMENT 1**



**CITY of CLOVIS**  


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**PLANNING & DEVELOPMENT**  
 1033 FIFTH STREET • CLOVIS, CA 93612



For County Clerk Stamp

**NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION  
 NOTICE OF PUBLIC HEARING  
 NOTICE OF PUBLIC REVIEW OF A PROPOSED MITIGATED NEGATIVE DECLARATION**

**NOTICE IS HEREBY GIVEN** that on **Thursday, March 28, 2019, at 6:00 p.m.**, a public hearing will be conducted in the Council Chamber of the Clovis Civic Center, 1033 Fifth Street, Clovis, CA 93612. The Clovis Planning Commission will consider the following items:

1. Consider items associated with approximately 7.5 acres of land located at the southwest corner of Herndon and N. McKelvy Avenues. Mark O'Polo Enterprises, Inc., owners/ applicant; Kent P. Rodrigues, representative.
  - a. Consider Approval, Res. 19-\_\_\_, A request to approve an environmental finding of a Mitigated Negative Declaration for Rezone R2018-11, Conditional Use Permit CUP2018-13 and Site Plan Review SPR2018-25.
  - b. Consider Approval, Res. 19-\_\_\_, **R2018-11**, A request to approve a rezone from the R-A (Single-Family Residential – 24,000 Sq. Ft.) Zone District to the R-3 (Medium Density Multiple Family Residential)(1 Unit/2,000 Sq. Ft.) Zone District.
  - c. Consider Approval, Res. 19-\_\_\_, **CUP2018-13**, A request to approve a conditional use permit to allow 3-story buildings and 48-feet, 6-inches in height for Building Types 1, 1A and 3. Additionally, allow 36-feet, 4-inches in height for Building Types 2 and 5, allow 36-feet, 3-inches in height for Building Type 5A. The Code allows a maximum height of 2 stories and 35-feet for main structures.

A Mitigated Negative Declaration has been completed for Project Item No. 1, pursuant to Section 15070 of CEQA. Recommendation of a proposed Mitigated Negative Declaration does not necessarily mean this project will be approved. Hard copies and electronic copies of the proposed Mitigated Negative Declaration for this project may be reviewed and/or obtained at the City of Clovis Planning Division, 1033 Fifth Street, Clovis, California, Monday through Friday, between 8:00 a.m. and 3:00 p.m.

All interested parties are invited to comment in writing to the Planning Division by no later than 3:00 p.m. on March 28, 2019, and/or to appear at the hearing described above to present testimony in regard to the above listed requests. Questions regarding these items should be directed to George Gonzalez, Associate Planner at (559) 324-2383 or email at [georgeg@cityofclovis.com](mailto:georgeg@cityofclovis.com).

If you would like to view the Planning Commission Agenda and Staff Reports, please visit the City of Clovis Website at [www.cityofclovis.com](http://www.cityofclovis.com). Select "Planning Commission Agendas" from right side of the main page under "Frequently Visited." Reports will be available approximately 72 hours prior to the meeting time.

you challenge a project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing.

Dwight D. Kroll, AICP, Planning and Development Services Director

PUBLISH: Wednesday, March 6, 2019, *The Business Journal*



**CITY of CLOVIS**  
 PLANNING & DEVELOPMENT  
 1033 FIFTH STREET • CLOVIS, CA 93612

For County Clerk Stamp

**DRAFT MITIGATED NEGATIVE DECLARATION**

**Proposed:** March 5, 2019

**Agency File No:** R2018-11, CUP2018-13 & SPR2018-25

**Finding:** The City of Clovis has determined that the project described below will not have a significant effect on the environment and therefore the preparation of an Environmental Impact Report is not required.

**Lead Agency:** City of Clovis is the Lead Agency for this project.

**Project Title:** Rezone R2018-11, Conditional Use Permit CUP2018-13 & Site Plan Review SPR2018-25.

**Project Location:** Southwest corner of Herndon and N. McKelvy Avenues in the City of Clovis, CA.

**Project Description:** Consider items associated with approximately 7.5 acres of land located at the southwest corner of Herndon and N. McKelvy Avenues. Mark O'Polo Enterprises, Inc., owners/ applicant; Kent P. Rodrigues, representative.

- a. Consider Approval, Res. 19-\_\_\_, A request to approve an environmental finding of a Mitigated Negative Declaration for Rezone R2018-11, Conditional Use Permit CUP2018-13 and Site Plan Review SPR2018-25.
- b. Consider Approval, Res. 19-\_\_\_, **R2018-11**, A request to approve a rezone from the R-A (Single-Family Residential – 24,000 Sq. Ft.) Zone District to the R-3 (Medium Density Multiple Family Residential)(1 Unit/2,000 Sq. Ft.) Zone District.
- c. Consider Approval, Res. 19-\_\_\_, **CUP2018-13**, A request to approve a conditional use permit to allow 3-story buildings and 48-feet, 6-inches in height for Building Types 1, 1A and 3. Additionally, allow 36-feet, 4-inches in height for Building Types 2 and 5, allow 36-feet, 3-inches in height for Building Type 5A. The Code allows a maximum height of 2 stories and 35-feet for main structures.

**Environmental Assessment:** The Initial Study for this project is available for review at the City of Clovis, Planning and Development Services Department, 1033 Fifth Street, Clovis, CA.

**Justification for Mitigated Negative Declaration:** The City of Clovis has completed the preparation of an Initial Study for the project described above. The Initial Study did not identify any potentially significant environmental effects that would result from the proposed activity. Accordingly, approval of a Mitigated Negative Declaration for the project is recommended. The City finds that the proposed activity can be adequately served by City public services. It will not have a negative aesthetic effect, will not affect any

re or endangered species of plant or animal or the habitat of such species, nor interfere with the movement of any resident or migratory fish or wildlife species. It will not adversely affect water quality, contaminate public water supplies, or cause substantial flooding, erosion, or siltation. It will not have a significant effect on air quality, climate change, transportation or circulation systems, noise, light and glare, and land use. No significant cumulative impacts will occur from this project.

Contact Person: George González, MPA, Associate Planner

Phone: (559) 324-2383

Signature: \_\_\_\_\_

Date: March 5, 2019



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## 1.0 Introduction

This document is an Initial Study and Mitigated Negative Declaration (MND) prepared pursuant to the California Environmental Quality Act (CEQA), for the project. This MND has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Sections 21000 *et seq.*, and the CEQA Guidelines Sections 15070(b), 15071(e).

### 1.1 Documents Incorporated By Reference

This mitigated negative declaration utilizes information and incorporates information and analyses provided in the following documents pursuant to CEQA Guidelines Section 15150.

- **City of Clovis General Plan.** The 2014 Clovis General Plan provides a description of the project area setting, and sets forth a plan for the development of the general plan planning area, of which the current project area is part.
- **Program Environmental Impact Report prepared for the 2014 Clovis General Plan Update.** The General Plan Program EIR describes potential impacts of development of the project area consistent with the general plan land use map. Some of these impacts (e.g. runoff, aesthetics, etc.) are to be expected with any urban development, and are therefore applicable to the current project.
- **Findings and Statement of Overriding Considerations prepared for the adoption of the Clovis General Plan.** Adoption of the development plan contained in the General Plan is expected to result in certain unavoidable environmental impacts (Agriculture, Air Quality, Cultural Resources, Greenhouse Gas, Hydrology and Water, Noise and Vibration, Population and Housing, Transportation and Traffic, and Utility and Service Systems) that the City has determined are outweighed by the potential benefits of plan implementation. These impacts are applicable to the project at hand due to the fact that the proposal is consistent with the planned urbanization of the general plan planning area.
- **Environmental Impact Report prepared for the Clovis Landfill Expansion and Permitting Project (Certified July 11, 2005, SCH No. 2002091105).** The EIR examined the potential impacts of a revision to the city's Solid Waste Facility Permit to expand filling operations and expand the land fill property boundaries.
- **Environmental Impact Report prepared for the Clovis Sewage Treatment /Water Reuse Facility Program (Certified July 18, 2005, SCH No. 2004061065).** The EIR examined the potential impacts from the construction and operation of the City's new sewage treatment/water reuse facility (ST/WRF) that would provide an alternative solution to its current sewage (wastewater) treatment services capabilities.
- **Clovis Municipal Code Title 5 (Public Welfare, Morals And Conduct) and Title 9 (Development Code).** This Code consists of all the regulatory, penal, and administrative laws of general application of the City of Clovis and specifically to development standards, property maintenance and nuisances, necessary for the protection of health and welfare, codified pursuant to the authority contained in Article 2 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code of the State of California.
- **California Health and Safety Code Section 7050.5.** This section states that in the event that human remains are discovered, there shall be no further disturbance of the site of any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has been notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.
- **Section 15064.5 of the CEQA Guidelines.** This section addresses the discovery of human remains, and the disturbance of potential archaeological, cultural, and historical resources.

The requirements of Section 15064.5 with regard to the discovery of human remains are identical to the requirements of Health and Safety Code Section 7050.5.

- **City of Clovis 2018-2019 Budget.** The budget provides information about city services, and objectives, annual spending plan for the 2018-2019 fiscal year, debt obligations, and the five-year Community Investment Program.
- **City of Clovis Economic Development Strategy (Adopted July 14, 2014).** The City of Clovis Economic Development Strategy outlines the City's strategies for the retention, expansion, and attraction of industrial development, commercial development, and tourism.
- **City of Clovis 2015 Urban Water Management Plan.** The Clovis Urban Water Management Plan outlines the City's strategy to manage its water resources through both conservation and source development. The Plan was prepared in compliance with California Water Code Section 10620.
- **Fresno Metropolitan Flood Control District Storm Drainage and Flood Control Master Plan (Adopted December 13, 2017).** The Fresno Metropolitan Flood Control District (FMFCD) is located in the north-central portion of Fresno County between the San Joaquin and Kings rivers. The FMFCD service area includes most of the Fresno-Clovis metropolitan area (excluding the community of Easton), and unincorporated lands to the east and northeast. The Storm Drainage and Flood Control Master Plan includes program planning, structure, service delivery, and financing, for both flood control and local drainage services. The flood control program relates to the control, containment, and safe disposal of storm waters that flow onto the valley floor from the eastern streams. The local drainage program relates to the collection and safe disposal of storm water runoff generated within the urban and rural watersheds.
- **San Joaquin Valley Air Pollution Control District, Regulation VIII - Fugitive PM10 Prohibitions.** The purpose of Regulation VIII (Fugitive PM10 Prohibitions) is to reduce ambient concentrations of fine particulate matter (PM10) by requiring actions to prevent, reduce or mitigate anthropogenic fugitive dust emissions. Regulation VIII is available for download at <http://www.valleyair.org/rules/1ruleslist.htm#reg8>. A printed copy may be obtained at the District's Central Region offices at 1990 E. Gettysburg Ave., Fresno, CA 93726.
- **Biological Resources Letter from Dirk Poechel, Land Development Services, Inc.,** January 25, 2019, A letter addressing biological impacts.
- **Cultural Resources Review from LSA,** dated January 30, 2019, An evaluation of cultural resources.
- **Greenhouse Gas Analysis from LSA,** February 15, 2019, An evaluation of the impacts related to Greenhouse Gas.
- **City of Clovis Wastewater Collection System Master Plan,** July 2, 2018, An evaluation of impacts to the Master Sewer Collection System.
- **Traffic Impact Letter from Dirk Poechel, Land Development Services, Inc.,** January 23, 2019, A letter addressing traffic impacts.
- **County of Fresno Department of Public Health,** August 28, 2018, recommended conditions of approval.

Unless otherwise noted, documents incorporated by reference in this Initial Study are available for review at the Clovis Planning and Development Services Department located at 1033 Fifth Street, Clovis, CA 93612 during regular business hours.

## 1.2 Lead Agency

The lead agency is the public agency with primary responsibility over a proposed project. Where two or more public agencies will be involved with a project, CEQA Guidelines Section 15051 provides criteria for identifying the lead agency. In accordance with CEQA Guidelines Section 15051(b)(1), "the lead agency will normally be the agency with general government powers, such as a city or county, rather

an an agency with a single or limited purpose.” Based on these criteria, the City of Clovis will serve as lead agency for the proposed project.

### **1.3 Agencies That May Use This Document**

This Initial Study and Mitigated Negative Declaration may be used by any responsible or trustee agencies that also have review authority over the project. As stated in the CEQA Guidelines Section 15231:

*A Final EIR prepared by a lead agency or a Negative Declaration adopted by the lead agency shall be conclusively presumed to comply with CEQA for the purposes of use by responsible agencies which were consulted pursuant to Sections 15072 or 15082 unless one of the following conditions occurs:*

- a. The EIR or Negative Declaration is finally adjudged in a legal proceeding not to comply with the requirements of CEQA, or*
- b. A subsequent EIR is made necessary by Section 15162 of these Guidelines.*

The various local, state, and federal agencies that may use this document are listed in Section 2.0, “Project Description.”

## 0 Project Information

### 2.1 Project Description

The project consists of a request to approve a rezone and conditional use permit on approximately 7.5 acres of land located at the southwest corner of Herndon and N. McKelvy Avenues in the City of Clovis. Furthermore, the project includes the Fresno Metropolitan Flood Control District and San Joaquin Valley Air Pollution Control District as responsible agencies.

Rezone R2018-11 is requesting to approve a rezone from the R-A (Single-Family Residential – 24,000 Sq. Ft.) Zone District to the R-3 (Medium Density Multiple Family Residential)(1 Unit/2,000 Sq. Ft.) Zone District.

Conditional Use Permit CUP2018-13 is a request to approve a conditional use permit to allow 3-story buildings and 48-feet, 6-inches in height for Building Types 1, 1A and 3. Additionally, allow 36-feet, 4-inches in height for Building Types 2 and 5, allow 36-feet, 3-inches in height for Building Type 5A. The Code allows a maximum height of 2 stories and 35-feet for main structures.

The project will be completed in accordance with the California Building Code; City of Clovis Municipal Code; and 2017 City of Clovis Standards.

### 2.2 Project Location

The proposed project is located within the City of Clovis in the County of Fresno (see Figure 1). The proposed project site is located at the southwest corner of Herndon and N. McKelvy Avenues (see Figure 2).



Figure 1 - Regional Location

R2018-11, CUP2018-13

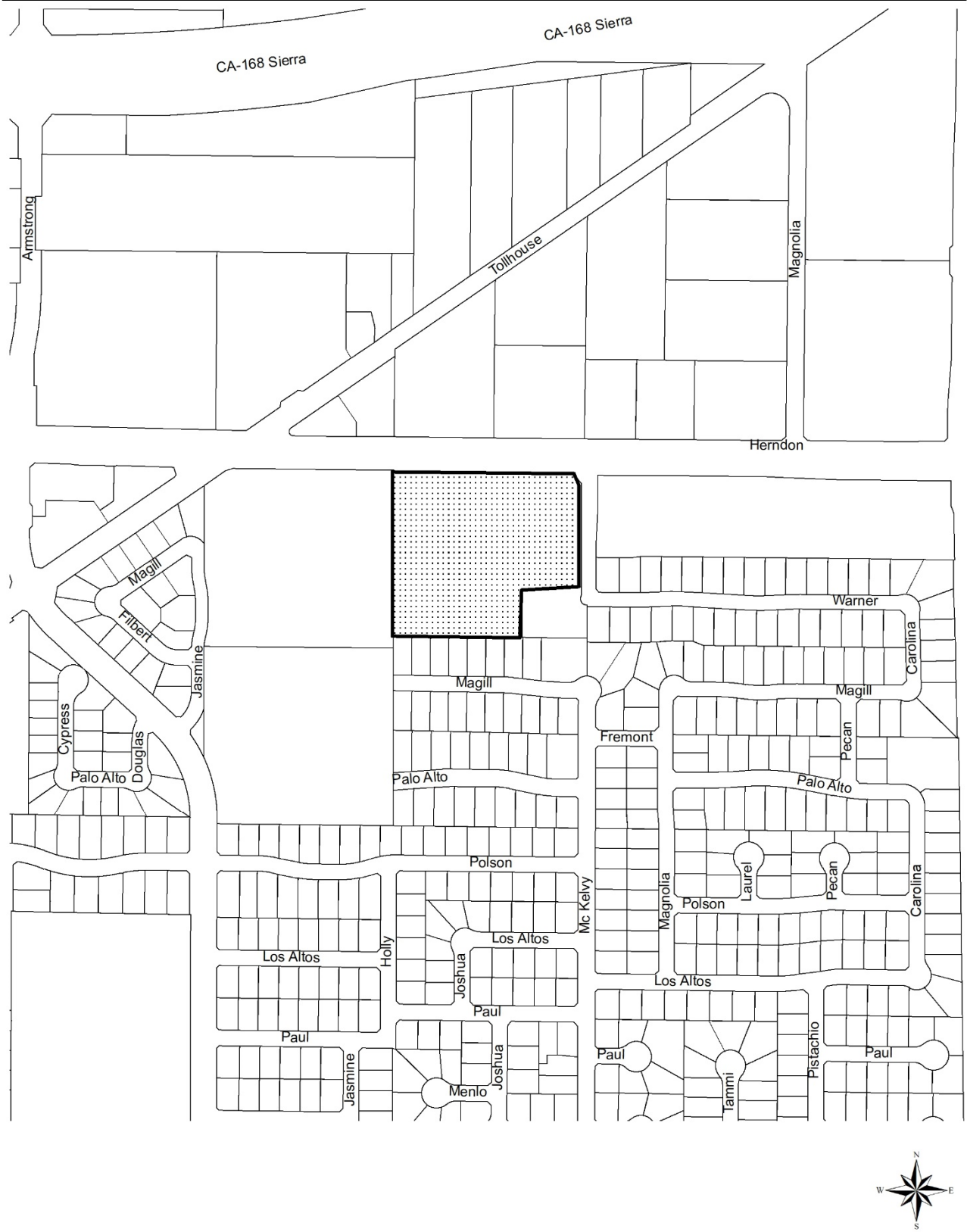
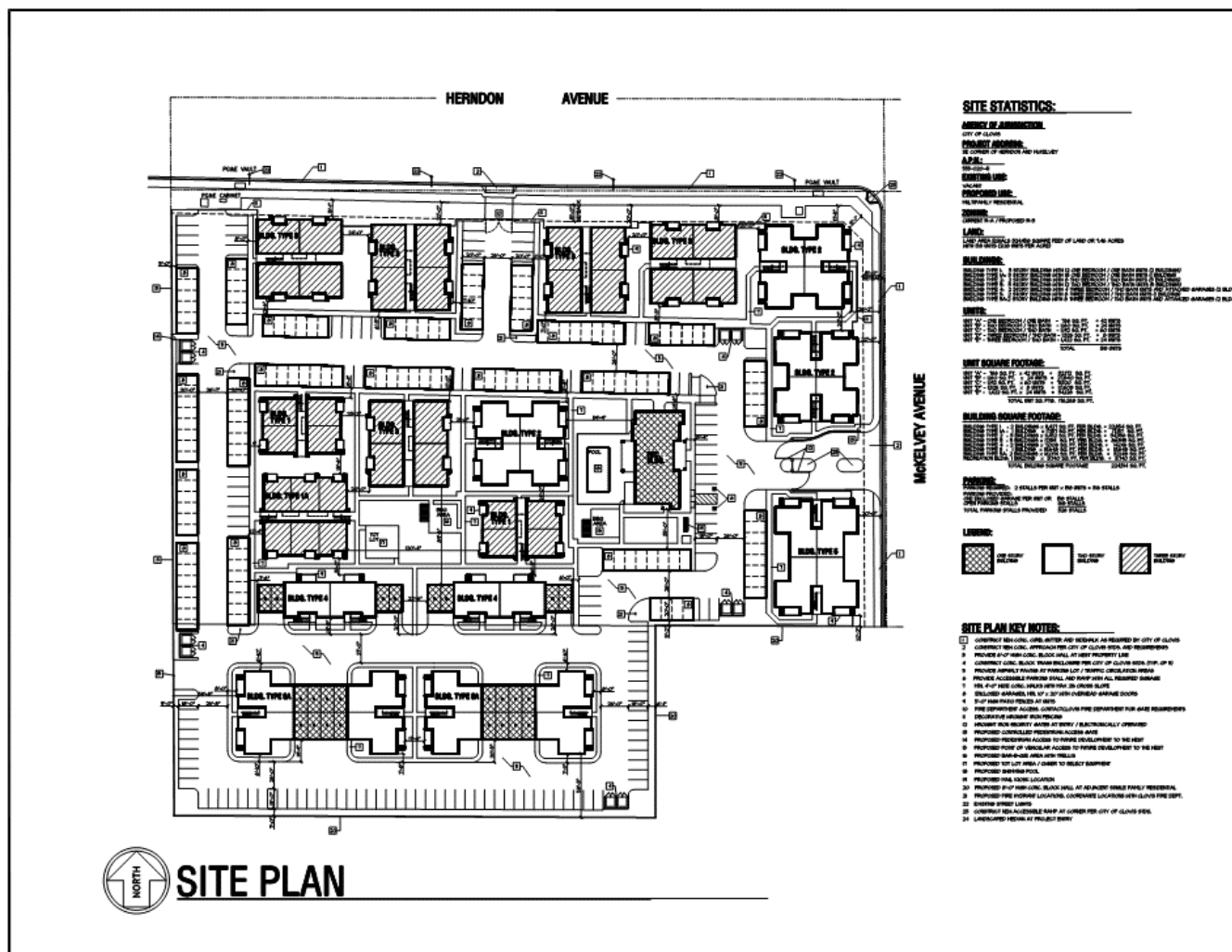


Figure 2 - Project Location

**Figure 3** shows proposed site plan.



### Figure 3 - Project Site Plan

## 2.3 Standard Environmental Measures

Standard environmental measures are methods, measures, standard regulations, or practices that avoid, reduce, or minimize a project's adverse physical impacts on the environment. Based on the underlying authority, they may be applied before, during, or after construction of the project.

The following standard environmental measures, which are drawn from City ordinances and other applicable regulations and agency practices, will be implemented as part of the project and incorporated into the City's approval processes for specific individual projects. The City will ensure that these measures are included in any project construction specifications (for example, as conditions of approval of a conditional use permit), as appropriate. This has proven to be effective in reducing potential impacts by establishing policies and standard requirements that are applied ministerially to all applicable projects.

## Standard Environmental Measure 1: Measures to Minimize Effects of Construction-Related Noise

The following construction noise control standards per the Clovis Municipal Code (Clovis Municipal Code Section 5.27.604 et seq.) will be required, which are proven effective in reducing and controlling noise generated from construction-related activities.

- Noise-generating construction activities. Unless otherwise expressly provided by permit, construction activities are only permitted between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and between 9:00 a.m. and 5:00 p.m. on Saturday and Sunday. From June 1st through September 15th, permitted construction activity may commence after 6:00 a.m. Monday through Friday. Extended construction work hours must at all times be in strict compliance with the permit.
- Stationary equipment (e.g., generators) will not be located adjacent to any existing residences unless enclosed in a noise attenuating structure, subject to the approval of the Director.

## Standard Environmental Measure 2: Erosion Control Measures to Protect Water Quality

To minimize the mobilization of sediment to adjacent water bodies, the following erosion and sediment control measures will be included in the storm water pollution prevention plan (SWPPP), to be included in the construction specifications and project performance specifications, based on standard City measures and standard dust-reduction measures for each development.

- Cover or apply nontoxic soil stabilizers to inactive construction areas (previously graded areas inactive for 10 days or more) that could contribute sediment to waterways.
- Enclose and cover exposed stockpiles of dirt or other loose, granular construction materials that could contribute sediment to waterways.
- Contain soil and filter runoff from disturbed areas by berms, vegetated filters, silt fencing, straw wattle, plastic sheeting, catch basins, or other means necessary to prevent the escape of sediment from the disturbed area.
- No earth or organic material shall be deposited or placed where it may be directly carried into a stream, marsh, slough, lagoon, or body of standing water.
- Prohibit the following types of materials from being rinsed or washed into the streets, shoulder areas, or gutters: concrete; solvents and adhesives; thinners; paints; fuels; sawdust; dirt; gasoline; asphalt and concrete saw slurry; heavily chlorinated water.
- Dewatering activities shall be conducted according to the provisions of the SWPPP. No dewatered materials shall be placed in local water bodies or in storm drains leading to such bodies without implementation of proper construction water quality control measures.

## Standard Environmental Measure 3: Dust Control Measures to Protect Air Quality

To control dust emissions generated during construction of future parcels, the following San Joaquin Valley Unified Air Pollution Control District (SJVAPCD) Regulation VIII Control Measures for construction emissions of PM<sub>10</sub> are required to be implemented (SJVUAPCD Rule 8021). They include the following:

- Watering—for the purpose of dust control, carry-out, and tracking control—shall be conducted during construction in accordance with the City of Clovis' Storm Water Management Plan (SWMP) and the Project Storm Water Pollution Prevention Plan (SWPPP), if applicable.
- All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.
- All onsite unpaved roads and offsite unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.



- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
- With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.
- When materials are transported off site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least 2 feet of freeboard space from the top of the container shall be maintained.
- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)
- Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.

#### Standard Environmental Measure 4: Measures to Control Construction-Related Emissions

To comply with guidance from the SJVAPCD, the City will incorporate the following measures into the construction specifications and project performance specifications:

- The construction contractor will ensure that all diesel engines are shut off when not in use on the premises to reduce emissions from idling.
- The construction contractor will review and comply with SJVAPCD Rules 8011 to 8081 (Fugitive Dust), 4102 (Nuisance), 4601 (Architectural Coatings), and 4641 (Paving and Maintenance Activities). Current SJVAPCD rules can be found at <http://www.valleyair.org/rules/1ruleslist.htm>.
- The construction contractor will use off-road trucks that are equipped with on-road engines, when possible.
- The construction contractor will use light duty cars and trucks that use alternative fuel or are hybrids, if feasible.

#### Standard Environmental Measure 5: Measures to Minimize Exposure of People and the Environment to Potentially Hazardous Materials

Construction of the project could create a significant hazard to workers, the public, or the environment through the transport, use or disposal of hazardous materials. Small quantities of potentially toxic substances (such as diesel fuel and hydraulic fluids) would be used and disposed of at the site and transported to and from the site during construction. Accidental releases of small quantities of these substances could contaminate soils and degrade the quality of surface water and groundwater, resulting in a public safety hazard.

To minimize the exposure of people and the environment to potentially hazardous materials, the following measures will be included in the construction specifications and project performance specifications for each parcel that includes the use of hazardous materials, based on the City's standard requirements that construction specifications include descriptions of the SWPPP, dust control measures, and traffic mobilization.

- *Develop and Implement Plans to Reduce Exposure of People and the Environment to Hazardous Conditions Caused by Construction Equipment.* The City/contractor shall demonstrate compliance with Cal OSHA as well as federal standards for the storage and handling of fuels, flammable materials, and common construction-related hazardous materials and for fire prevention. Cal OSHA requirements can be found in the California Labor Code,

Division 5, and Chapter 2.5. Federal standards can be found in Occupational Safety and Health Administration Regulations, Standards—29 CFR. These standards are considered to be adequately protective such that significant impacts would not occur. Successful development and implementation of the proper storage and handling of hazardous materials will be measured against the state and federal requirements as verified by the City of Clovis.

- *Develop and Implement a Hazardous Materials Business Plan in Accordance with the Requirements of the County of Fresno Environmental Health System Hazardous Materials Business Plan Program.* The City shall require contractors to develop and implement a Hazardous Materials Business Plan, if required, in accordance with the requirements of the County of Fresno Environmental Health System (EHS) Hazardous Materials Business Plan Program. The Hazardous Materials Business Plan shall be submitted to the County EHS and the City of Clovis Fire Department prior to construction activities and shall address public health and safety issues by providing safety measures, including release prevention measures; employee training, notification, and evacuation procedures; and adequate emergency response protocols and cleanup procedures. A copy of the Hazardous Materials Business Plan shall be maintained on-site, during site construction activities and as determined by the County EHS.
- *Immediately Contain Spills, Excavate Spill-Contaminated Soil, and Dispose at an Approved Facility.* In the event of a spill of hazardous materials in an amount reportable to the Clovis Fire Department (as established by fire department guidelines), the contractor shall immediately control the source of the leak, contain the spill and contact the Clovis Fire Department through the 9-1-1 emergency response number. If required by the fire department or other regulatory agencies, contaminated soils shall be excavated, treated and/or disposed of off-site at a facility approved to accept such soils.
- As applicable, each project applicant shall demonstrate compliance with Cal-OSHA for the storage and handling of fuels, flammable materials, and common construction-related hazardous materials and for fire prevention. Cal-OSHA requirements can be found in the California Labor Code, Division 5, Chapter 2.5. Federal standards can be found in Occupational Safety and Health Administration Regulations, Standards—29 CFR.

#### Standard Environmental Measure 6: Measures to Protect Undiscovered Cultural Resources

If buried cultural resources, such as chipped or ground stone, historic debris, building foundations, or human bone, are inadvertently discovered during ground-disturbing activities, the City shall require that work stop in that area and within 100 feet of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures in consultation with the City of Clovis and other appropriate agencies.

If human remains of Native American origin are discovered during project construction, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Pub. Res. Code Sec. 5097). If any human remains are discovered or recognized in any location other than a dedicated cemetery, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- The Fresno County coroner has been informed and has determined that no investigation of the cause of death is required; and if the remains are of Native American origin,
  - The descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or

- The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission.

According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100) and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission.

#### Standard Environmental Measure 7: Develop and Implement a Construction Traffic Control Plan

If applicable, the construction contractor, in coordination with the City, will prepare a traffic control plan during the final stage of project design. The purpose of the plan is to insure public safety, provide noise control and dust control. The plan shall be approved by the City of Clovis City Engineer and comply with City of Clovis local ordinances and standard policies.

- The construction traffic control plan will be provided to the City of Clovis for review and approval prior to the start of construction and implemented by construction contractor during all construction phases, and monitored by the City.

#### Required Project Approvals

In addition to the approval of the proposed project by the City of Clovis, the following agency approvals may be required:

- San Joaquin Unified Air Pollution Control District
- Fresno Metropolitan Flood Control District

## Introduction

This chapter provides an evaluation of the potential environmental impacts of the proposed project, including the CEQA Mandatory Findings of Significance. There are 18 specific environmental topics evaluated in this chapter including:

- Aesthetics
- Agriculture and Forest Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Tribal Cultural Resources
- Utilities/Service Systems

For each issue area, one of four conclusions is made:

- **No Impact:** No project-related impact to the environment would occur with project development.
- **Less Than Significant Impact:** The proposed project would not result in a substantial and adverse change in the environment. This impact level does not require mitigation measures.
- **Less Than Significant with Mitigation Incorporated:** The proposed project would result in an environmental impact or effect that is potentially significant, but the incorporation of mitigation measure(s) would reduce the project-related impact to a less than significant level.
- **Potentially Significant Impact:** The proposed project would result in an environmental impact or effect that is potentially significant, and no mitigation can be identified that would reduce the impact to a less than significant level.

### 3.1 Aesthetics

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Aesthetics</b> <i>Would the Project:</i>				
a. Have a substantial effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

The City of Clovis is located within the San Joaquin Valley. As a result, the project site and surrounding areas are predominantly flat. The flat topography of the valley floor provides a horizontal panorama providing vistas of the valley. On clear days, the Sierra Nevada Mountains are visible to the east. Aside from the Sierra Nevada and nearby foothills, there are no outstanding focal points or views from the City.

### Impacts

The project may result in significant aesthetic impacts if it substantially affects the view of a scenic corridor, vista, or view open to the public; causes substantial degradation of views from adjacent residences, or results in night lighting that shines into adjacent residences.

- The proposed project will not obstruct federal, state or locally classified scenic areas, historic properties, community landmarks, or formally classified scenic resources such as a scenic highway, national scenic area, or state scenic area. The City of Clovis is located in a predominantly agricultural area at the base of the Sierra Nevada Mountain Range, which provides for aesthetically pleasing views and open spaces. The project site is currently vacant land. The project proposes a 158-unit multi-family development, consistent with the allowed uses under Focus Area #5 of the General Plan. As such, the implementation of the project using the proposed R-3 zoning standards, would result in a less than significant impact to scenic vistas.
- The project is located in a predominately urban area. The development of this parcel with a multi-family development would have a less than significant impact on scenic resources.
- The project site is currently vacant land. The implementation of the project, consistent with the proposed zoning would not substantially degrade the visual character or quality of the site and its surroundings.
- The project will include on-site project and off-site street lighting, which would introduce a new source of light to the area. The lighting is necessary to provide enough illumination at night for security and traffic purposes. All lighting will be installed per City and PG&E standards. With the

inclusion of the following Mitigation Measure, impacts in this category will be reduced to a less than significant impact.

### Mitigation Measure 3.1-d

The developer shall direct all on-site lighting downward and provide physical shields to prevent direct view of the light source from adjacent residential properties. Street lighting shall be spaced in accordance with City Standards to reduce up-lighting. The applicant shall utilize a PG&E street light which directs light downward.

### 3.2 Agriculture and forest resources

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Agriculture and forest resources</b> <i>Would the Project:</i>				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220 (g)) or timberland (as defined in Public Resources Code section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

#### Clovis and Vicinity

The early agricultural history of Clovis was partly tied to the logging industry in the Sierra Nevada. A 42-mile log flume was built from Shaver Lake to Clovis, and a mill and finishing plant were developed in Clovis. Other agricultural products from the Clovis area included grains and livestock (Clovis 2012).

Currently, there is little active agricultural use in the Plan Area because of water supply constraints and soil suitability issues.

### General Plan Designation for Agricultural Use

The General Plan EIR analyzed the impacts of the City's urban growth on agricultural land and includes mitigation measures to reduce those impacts; however, impacts to agricultural land remain significant and unavoidable. A Statement of Overriding Considerations was adopted for the impacts to agriculture lands. The proposed Project does not significantly impact agricultural resources as identified in the General Plan's PEIR.

### 3.3 Air Quality

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Air Quality</b> <i>Will the proposal:</i>				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standards or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

#### SAN JOAQUIN VALLEY AIR BASIN

The City of Clovis (City) is in the central portion of the San Joaquin Valley Air Basin (SJVAB). SJVAB consists of eight counties: Fresno, Kern (western and central), Kings, Tulare, Madera, Merced, San Joaquin, and Stanislaus. Air pollution from significant activities in the SJVAB includes a variety of industrial-based sources as well as on- and off-road mobile sources. These sources, coupled with geographical and meteorological conditions unique to the area, stimulate the formation of unhealthy air.

The SJVAB is approximately 250 miles long and an average of 35 miles wide. It is bordered by the Sierra Nevada in the east, the Coast Ranges in the west, and the Tehachapi mountains in the south. There is a slight downward elevation gradient from Bakersfield in the southeast end (elevation 408 feet) to sea

level at the northwest end where the valley opens to the San Francisco Bay at the Carquinez Straits. At its northern end is the Sacramento Valley, which comprises the northern half of California's Central Valley. The bowl-shaped topography inhibits movement of pollutants out of the valley (SJVAPCD 2012a).

## Climate

The SJVAB is in an inland Mediterranean climate zone and is influenced by a subtropical high-pressure cell most of the year. Mediterranean climates are characterized by sparse rainfall, which occurs mainly in winter. Summers are hot and dry. Summertime maximum temperatures often exceed 100°F in the valley.

The subtropical high-pressure cell is strongest during spring, summer, and fall and produces subsiding air, which can result in temperature inversions in the valley. A temperature inversion can act like a lid, inhibiting vertical mixing of the air mass at the surface. Any emissions of pollutants can be trapped below the inversion. Most of the surrounding mountains are above the normal height of summer inversions (1,500–3,000 feet).

Winter-time high pressure events can often last many weeks, with surface temperatures often lowering into the 30°F. During these events, fog can be present and inversions are extremely strong. These wintertime inversions can inhibit vertical mixing of pollutants to a few hundred feet (SJVAPCD 2012a).

## Ambient Air Quality Standards

The Clean Air Act (CAA) was passed in 1963 by the US Congress and has been amended several times. The 1970 Clean Air Act amendments strengthened previous legislation and laid the foundation for the regulatory scheme of the 1970s and 1980s. In 1977, Congress again added several provisions, including nonattainment requirements for areas not meeting National AAQS and the Prevention of Significant Deterioration program. The 1990 amendments represent the latest in a series of federal efforts to regulate the protection of air quality in the United States. The CAA allows states to adopt more stringent standards or to include other pollution species. The California Clean Air Act (CCAA), signed into law in 1988, requires all areas of the state to achieve and maintain the California AAQS by the earliest practical date. The California AAQS tend to be more restrictive than the National AAQS, based on even greater health and welfare concerns.

These National and California AAQS are the levels of air quality considered to provide a margin of safety in the protection of the public health and welfare. They are designed to protect “sensitive receptors,” those most susceptible to further respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. Healthy adults can tolerate occasional exposure to air pollutant concentrations considerably above these minimum standards before adverse effects are observed.

Both California and the federal government have established health-based AAQS for seven air pollutants. As shown in Table 5.3-1, *Ambient Air Quality Standards for Criteria Pollutants*, these pollutants are ozone (O<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), coarse inhalable particulate matter (PM<sub>10</sub>), fine inhalable particulate matter (PM<sub>2.5</sub>), and lead (Pb). In addition, the state has set standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety.



**TABLE 3.4-1  
FEDERAL AND STATE AMBIENT AIR QUALITY STANDARDS**

<b>Pollutant</b>	<b>Averaging Time</b>	<b>Federal Primary Standard</b>	<b>State Standard</b>
Ozone	1-Hour	--	0.09 ppm
	8-Hour	0.075 ppm	0.07 ppm
Carbon Monoxide	8-Hour	9.0 ppm	9.0 ppm
	1-Hour	35.0 ppm	20.0 ppm
Nitrogen Dioxide	Annual	0.053 ppm	0.03 ppm
	1-Hour	0.100 ppm	0.18 ppm
Sulfur Dioxide	Annual	0.03 ppm	--
	24-Hour	0.14 ppm	0.04 ppm
	1-Hour	0.075 ppm	0.25 ppm
PM <sub>10</sub>	Annual	--	20 ug/m <sup>3</sup>
	24-Hour	150 ug/m <sup>3</sup>	50 ug/m <sup>3</sup>
PM <sub>2.5</sub>	Annual	15 ug/m <sup>3</sup>	12 ug/m <sup>3</sup>
	24-Hour	35 ug/m <sup>3</sup>	--
Lead	30-Day Avg.	--	1.5 ug/m <sup>3</sup>
	3-Month Avg.	1.5 ug/m <sup>3</sup>	--

Notes: ppm = parts per million; ug/m<sup>3</sup> = micrograms per cubic meter.

Source: California Air Resources Board, 2008. Ambient Air Quality Standards (4/01/08), <http://www.arb.ca.gov/aqs/aaqs2.pdf>.

In addition to the criteria pollutants discussed above, toxic air contaminants (TACs) are another group of pollutants of concern. TACs are injurious in small quantities and are regulated despite the absence of criteria documents. The identification, regulation and monitoring of TACs is relatively recent compared to that for criteria pollutants. Unlike criteria pollutants, TACs are regulated on the basis of risk rather than specification of safe levels of contamination.

### Attainment Status

The air quality management plans prepared by SJVAPCD provide the framework for San Joaquin Valley Air Basin (SJVAB) to achieve attainment of the state and federal AAQS through the SIP. Areas are classified as attainment or nonattainment areas for particular pollutants, depending on whether they meet the ambient air quality standards. Severity classifications for ozone nonattainment range in magnitude from marginal, moderate, and serious to severe and extreme.

At the federal level, the SJVAPCD is designated as extreme nonattainment for the 8-hour ozone standard, attainment for PM<sub>10</sub> and CO, and nonattainment for PM<sub>2.5</sub>. At the state level, the SJVAB is designated nonattainment for the 8-hour ozone, PM<sub>10</sub>, and PM<sub>2.5</sub> standards. The SJVAB has not attained the federal 1-hour ozone, although this standard was revoked in 2005.

### Impacts

The SJVAPCD has established the following standards of significance (SJVAPCD, 1998). A project is considered to have significant impacts on air quality if:

- A project results in new direct or indirect emissions of ozone precursors (ROG or NO<sub>x</sub>) in excess of 10 tons per year.

- Any project with the potential to frequently expose members of the public to objectionable odors will be deemed to have a significant impact.
- Any project with the potential to expose sensitive receptors (including residential areas) or the general public to substantial levels of toxic air contaminants would be deemed to have a potentially significant impact.
- A project produces a PM<sub>10</sub> emission of 15 tons per year (82 pounds per day).

While the SJVAPCD CEQA guidance recognizes that PM<sub>10</sub> is a major air quality issue in the basin, it has to date not established numerical thresholds for significance for PM<sub>10</sub>. However, for the purposes of this analysis, a PM<sub>10</sub> emission of 15 tons per year (82 pounds per day) was used as a significance threshold. This emission is the SJVAPCD threshold level at which new stationary sources requiring permits for the SJVAPCD must provide emissions "offsets". This threshold of significance for PM<sub>10</sub> is consistent with the SJVAPCD's ROG and NO<sub>x</sub> thresholds of ten tons per year, which are also the offset thresholds established in SJVAPCD Rule 2201 New and Modified Stationary Source Review Rule.

The SJVAPCD significance threshold for construction dust impacts is based on the appropriateness of construction dust controls, including compliance with its Regulation VIII fugitive PM<sub>10</sub> Prohibitions. The SJVAPCD guidelines provide feasible control measures for construction emission of PM<sub>10</sub> beyond that required by SJVAPCD regulations. If the appropriate construction controls are to be implemented, then air pollutant emissions for construction activities would be considered less than significant.

With the incorporation of existing mitigation measures from the 2014 General Plan EIR, as well as existing policies and measures per the San Joaquin Valley Air Pollution Control District, the project will not have a significant impact to air quality or greenhouse gas.

- a. The project site is located within the San Joaquin Valley Air Basin (SJVUAPCD), which is a "nonattainment" area for the federal and state ambient air quality standards for ozone and PM<sub>10</sub>. The Federal Clean Air Act and the California Clean Air Act require areas designated as nonattainment to reduce emissions until standards are met. The proposed project would not obstruct implementation of an air quality plan; however, temporary air quality impacts could result from construction activities. The proposed project would not create a significant impact over the current levels of ozone and PM<sub>10</sub> or result in a violation of any applicable air quality standard. The project is not expected to conflict with the SJVUAPCD's attainment plans. The project will be subject to the SJVUAPCD's Regulation VIII to reduce PM<sub>10</sub> emissions and subject to Environmental Measure 3: Dust Control Measures to Protect Air Quality. With the incorporation of these existing measures, the project will have a less than significant impact.
- b. The proposed project would result in short-term construction related emissions (dust, exhaust, etc.). The SJVAB currently exceeds existing air quality standards for ozone and the State Standard for PM<sub>10</sub>. However, as with all construction projects, the project will be subject to the rules and regulations adopted by the SJVUAPCD to reduce emissions throughout the San Joaquin Valley and will be subject to Environmental Measure 4: Measures to Control Construction-Related Emissions. Therefore, the project would create a less than significant impact with existing measures incorporated.
- c. See responses to 3.3a and b above.
- d. The existing sensitive receptors near the proposed project include single-family residences, a multi-family development and two rural residential homes. The proposed project may subject sensitive receptors to pollutant concentrations due to construction activities. The use of construction equipment would be temporary and all equipment is subject to permitting requirements of the SJVUAPCD. This impact is considered less than significant.
- e. Objectionable odors are possible during site preparation and construction. However, the odors are not expected to be persistent or have an adverse effect on residents or other sensitive receptors in the project's vicinity. No objectionable odors are anticipated after constructions activities are complete; therefore, the project is expected to have a less than significant impact.

### 3.4 Biological Resources

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Biological Resources</b> <i>Will the proposal result in impacts to:</i>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Setting

The project site is currently vacant land. The site is bounded by urban development to the east and south. There is a rural residential home to the west and commercial/ light manufacturing uses to the north.

### Impacts

The project would have a significant effect on the biological resources if it would:

- 1) Interfere substantially with the movement of any resident or migratory fish or wildlife species;
- 2) Substantially diminish habitat for fish, wildlife or plants; or
- 3) Substantially affect a rare, threatened, or endangered species of animal or plant or the habitat of the species.

*CEQA Guidelines Section 15380 further provides that a plant or animal species may be treated as "rare or endangered" even if not on one of the official lists if, for example, it is likely to become endangered in the foreseeable future. This includes listed species, rare species (both Federal and California), and species that could reasonably be construed as rare.*

- a. The proposed project has the potential for impact, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife. However, with inclusion of mitigation measures to address the breeding season, impacts in this category are less than significant.
- b. There is no riparian habitat or other sensitive natural communities identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife within the project area. Therefore, the proposed project would not have a substantial adverse effect on riparian or other sensitive natural habitat.
- c. The project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act, including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means.
- d. The project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- e. The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- f. The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

### Mitigation Measure

- **Mitigation Measure 3.4-a:** The applicant shall conduct a pre-construction general nesting bird survey within all suitable nesting that may be impacted by active construction during the general avian breeding season (January 1 to September 15). The pre-construction surveys shall be conducted no more than fourteen days prior to initiation of construction.

- **Mitigation Measure 3.4-a2:** If no active avian nests are identified within the proposed development project area or within a 300-foot buffer of the proposed development project area, no further mitigation is necessary. If active nests of bird species covered by the Migratory Bird Treaty Act are detected within the proposed development project area or within a 300-foot buffer of the proposed development project area, construction shall be halted until the young have fledged, until a qualified biologist has determined the nest is inactive, or until appropriate mitigation measures that respond to the specific situation have been developed and implemented in consultation with the regulatory agencies.
- **Mitigation Measure 3.4-a3:** If construction activities are not initiated immediately after focused surveys have been completed, additional preconstruction special status species surveys may be required, in accordance with the California Endangered Species Act and Federal Endangered Species Act.

### 3.5 Cultural Resources

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Cultural Resources</b> <i>Will the proposal:</i>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

Mitigation Measures in the Clovis General Plan Program Environmental Impact Report require evaluation of the site for archaeological, paleontological, and historical structure sensitivity. These mitigation measures, which identify archaeological and paleontological levels of sensitivity, list historically important sites identified by the Fresno County Library. The project is not anticipated to impact any cultural resources; however, the project could lead to the disturbance of undiscovered archaeological and paleontological resources. General Plan Conservation Element Goal 2 acts to preserve historical resources, and mitigation measures adopted in association with the General Plan PEIR help to reduce potential impacts to a less than significant level. The project was evaluated by LSA who concluded that no archaeological resource were found on the project site during the filed survey. However, one historic-period cultural resource, an agricultural ditch, was found on the site. The agricultural ditch has been abandoned and portions have been filled in.

Pursuant to requirements of AB52, a notification was sent to the Native American Heritage Commission for review with local tribes for cultural significance.

## Impacts

The project may have a significant impact on cultural resources if it causes substantial adverse changes in the significance of a historical or archaeological resource as set forth by the California Register of Historic Places and Section 106 of the National Historic Preservation Act; directly or indirectly destroys a unique paleontological resource or site or unique geologic feature; or disturbs any human remains, including those interred in formal cemeteries. A cultural study was performed by LSA who concluded that there were no archaeological resource found on the project site during the filed survey.

- a. A Cultural Resource Study was conducted by LSA, and found no archaeological resource on the project site. Therefore, the project would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the CEQA Guidelines. Therefore impacts in this category are less than significant.
- b&c. The proposed project is not anticipated to cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines or directly or indirectly destroy a unique paleontological resource or site or unique geological features. There are no known archaeological or paleontological resources located in the areas of construction. These areas have been previously disturbed; however, with ground disturbance there is chance that previously undiscovered archaeological and/or paleontological resources could be uncovered. The project is subject to Standard Environmental Measure 6: Measures to Protect Undiscovered Cultural Resources. Therefore, impacts will be less than significant. Implementation of this Standard Environmental Measure would ensure that potential impacts due to uncovering of previously undiscovered archaeological and/or paleontological resources would be less than significant.
- d. The site has not been identified as containing areas where human remains may be located. However, California Public Resources Code Section 5097.98, provides procedures in case of accidental finds. Should any human remains be discovered at any time, all work is to stop and the County Coroner must also be immediately notified pursuant to California Health and Safety Code, Section 7050.5 and California Public Resources Code, Section 5097.98. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains. Compliance with this regulatory compliance measure would ensure that potential impacts due to discovery of human remains would be less than significant.

### 3.6 Geology and Soils

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Geology and Soils</b> <i>Will the Project:</i>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i). Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

The General Plan EIR identified no geologic hazards or unstable soil conditions known to exist on the project site. There are several known faults that exist close enough to the project to cause potential damage to structures or individuals. The City of Clovis has adopted the California Building Code to govern

construction within the City, further reducing potential impacts in this category by ensuring that development is designed to withstand seismic or other geologic hazards.

## Impacts

The Project may result in significant earth impacts if it causes substantial erosion or siltation; exposes people and structures to geologic hazards or risk from faults, landslides, unstable soil conditions, etc.; or substantially alters the natural topography or a unique geological or physical feature. Grading that disturbs large amounts of land or sensitive grading areas (e.g. slopes in excess of 20 percent, intermittent drainages) may cause substantial erosion or siltation.

- a. No known faults with evidence of historic activity cut through the valley soils in the Project vicinity. The major active faults and fault zones occur at some distance to the east, west, and south of the Project site, the closest fault being approximately 62 miles to the southwest. Due to the geology of the Project area and its distance from active faults, the potential for loss of life, property damage, ground settlement, or liquefaction to occur in the Project vicinity is considered minimal. There are no Impacts in this category.

Ground shaking generally decreases with distance and increases with the depth of unconsolidated alluvial deposits. The most likely source of potential ground shaking is attributed to the San Andreas, Owens Valley, and the White Wolf faults. Taking into account the distance to the causative faults and compliance with the California Building Code, the potential for ground motion in the vicinity of the Project site is such that a minimal risk can be assigned. There are no Impacts in this category.

Liquefaction describes a phenomenon in which a saturated soil loses strength during an earthquake as a result of induced shearing strains. Lateral and vertical movement of the soil mass, combined with loss of bearing usually results. Loose sand, high groundwater conditions (where the water table is less than 30 feet below the surface), higher intensity earthquakes, and particularly long duration of ground shaking are the requisite conditions for liquefaction. Studies indicate that the soil types are not conducive to liquefaction (General Plan, Page 7-6 and General Plan EIR, Page 4-5). There are no Impacts in this category.

Landslides and mudflows are more likely in foothill and mountain areas where fractured and steep slopes are present (as in the Sierra Nevada Mountains). The Project is located on relatively flat topography with no slopes in vicinity; therefore, the Project will not result in or expose people to potential impacts from landslides or mudflows. There are no Impacts.

- b. The sandy loam soil on the project site has a moderate potential for erosion. Project construction activities would loosen the soil, leaving it exposed to potential water and wind erosion. The eroded soils, in turn, could be transported off the project site. Compliance with the provisions of the Clovis-Fresno Storm Water Quality Management Program (CFSWQMP), which incorporates the Construction General Permit, issued by the State Water Resources Control Board (SWRCB). The Construction General Permit is required for all projects that disturb one acre of land or more. The permit requirements include preparation of a Storm Water Pollution Prevention Plan (SWPPP) by a Qualified SWPPP Developer to address potential water quality issues. The SWPPP includes implementation of Best Management Practices to avoid or minimize adverse water quality impacts. Best Management Practices fall within the categories of Temporary Soil Stabilization, Temporary Sediment Control, Wind Erosion Control, Tracking Control, Non-Storm Water Management, and Waste Management and Materials Pollution Control. Only Best Management Practices applicable to the project would become part of the SWPPP. In short, the project has potentially significant impacts related to erosion, but compliance with SJVAPCD Regulation VIII and SWPPP, would result in a less than significant impact.



- c. The soils underlying the sites where the facilities would be constructed have not been identified as inherently unstable or prone to failure. The soils are not conducive to liquefaction and landslides are unlikely on this topographically flat project site. The project would not change existing stability conditions. Appropriate engineering design would avoid potential adverse effects. The project would have no impact on the stability of soils.
- d. Potential hazards from liquefaction, lateral spreading, seismically induced settlement, and subsidence are considered unlikely given the stiff soil conditions of the project site. Because the topography of the project site is flat, it is not at risk for landslides or geologic hazards resulting from steep slopes. Additionally, all new structures will be required to conform to current seismic protection standards in the California Building Code (California Code of Regulations Title 24).

It is possible that grading and construction activities related to development of the Project could contribute to soil erosion. However, with implementation of erosion control measures as required by state and local regulation, erosion will be less than significant.

Based on these factors, impacts pertaining to geology and soil factors resulting from the Project, are less than significant.

- e. The City of Clovis provides necessary sewer and water systems for development within the City. The Project will not utilize septic tanks or alternate waste disposal. There are no Impacts in this category.

### 3.7 Greenhouse Gas Emissions

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Greenhouse Gas Emissions</b> <i>Will the proposal:</i>				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse does. The accumulation of GHG's has been implicated as a driving force for global climate change. Definitions of climate change vary between and across regulatory authorities and the scientific community, but in general can be described as the changing of the earth's climate caused by natural fluctuations and anthropogenic activities which alter the composition of the global atmosphere.

Individual projects contribute to the cumulative effects of climate change by emitting GHGs during construction and operational phases. The principal GHGs are carbon dioxide, methane, nitrous oxide, ozone, and water vapor. While the presence of the primary GHGs in the atmosphere is naturally occurring, carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), and nitrous oxide (N<sub>2</sub>O) are largely emitted from human activities, accelerating the rate at which these compounds occur within earth's atmosphere. Carbon dioxide is the "reference gas" for climate change, meaning that emissions of GHGs are typically reported in "carbon dioxide-equivalent" measures. Emissions of carbon dioxide are largely by-products of fossil fuel combustion, whereas methane results from off-gassing associated with agricultural practices and landfills. Other GHGs, with much greater heat-absorption potential than carbon dioxide, include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are generated in certain industrial processes.

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming, although there is uncertainty concerning the magnitude and rate of the warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years.<sup>1</sup> Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.

In 2005, in recognition of California's vulnerability to the effects of climate change, Governor Schwarzenegger established Executive Order S-3-05, which sets forth a series of target dates by which statewide emission of greenhouse gases (GHG) would be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; and by 2050, reduce GHG emissions to 80 percent below 1990 levels. In 2006, California passed the California Global Warming Solutions Act of 2006 (AB 32), which requires the California Air Resources Board (CARB) to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction in emissions).

In April 2009, the California Office of Planning and Research published proposed revisions to the California Environmental Quality Act to address GHG emissions. The amendments to CEQA indicate the following:

- Climate action plans and other greenhouse gas reduction plans can be used to determine whether a project has significant impacts, based upon its compliance with the plan.
- Local governments are encouraged to quantify the greenhouse gas emissions of proposed projects, noting that they have the freedom to select the models and methodologies that best meet their needs and circumstances. The section also recommends consideration of several qualitative factors that may be used in the determination of significance, such as the extent to which the given project complies with state, regional, or local GHG reduction plans and policies. OPR does not set or dictate specific thresholds of significance. Consistent with existing CEQA Guidelines, OPR encourages local governments to develop and publish their own thresholds of significance for GHG impacts assessment.
- When creating their own thresholds of significance, local governments may consider the thresholds of significance adopted or recommended by other public agencies, or recommended by experts.
- New amendments include guidelines for determining methods to mitigate the effects of greenhouse gas emissions in Appendix F of the CEQA Guidelines.
- OPR is clear to state that "to qualify as mitigation, specific measures from an existing plan must be identified and incorporated into the project; general compliance with a plan, by itself, is not mitigation."

<sup>1</sup> California Air Resources Board (ARB), 2006, Climate Change website. (<http://www.arb.ca.gov/cc/120106workshop/intropres12106.pdf>).

- OPR's emphasizes the advantages of analyzing GHG impacts on an institutional, programmatic level. OPR therefore approves tiering of environmental analyses and highlights some benefits of such an approach.
- Environmental impact reports (EIRs) must specifically consider a project's energy use and energy efficiency potential.

On December 30, 2009, the Natural Resources Agency adopted the proposed amendments to the CEQA Guidelines in the California Code of Regulations.

In December 2009, the San Joaquin Valley Air Pollution Control District (SJVAPCD) adopted guidance for addressing GHG impacts in its *Guidance for Valley Land Use Agencies in Addressing GHG Impacts for New Projects Under CEQA*. The guidance relies on performance-based standards, otherwise known as Best Performance Standards (BPS), to assess significance of project-specific GHG emissions on global climate change during the environmental review process. Projects can reduce their GHG emission impacts to a less than significant level by implementing BPS. Projects can also demonstrate compliance with the requirements of AB 32 by demonstrating that their emissions achieve a 29% reduction below "business as usual" (BAU) levels. BAU is a projected GHG emissions inventory assuming no change in existing business practices and without considering implementation of any GHG emission reduction measures.

### Significance Criteria

The SJVAPCD's *Guidance for Valley Land Use Agencies in Addressing GHG Impacts for New Projects Under CEQA* provides initial screening criteria for climate change analyses, as well as draft guidance for the determination of significance.

The effects of project-specific GHG emissions are cumulative, and therefore climate change impacts are addressed as a cumulative, rather than a direct, impact. The guidance for determining significance of impacts has been developed from the requirements of AB 32. The guideline addresses the potential cumulative impacts that a project's GHG emissions could have on climate change. Since climate change is a global phenomenon, no direct impact would be identified for an individual land development project. The following criteria are used to evaluate whether a project would result in a significant impact for climate change impacts:

- Does the project comply with an adopted statewide, regional, or local plan for reduction or mitigation of GHG emissions? If no, then
- Does the project achieve 29% GHG reductions by using approved Best Performance Standards? If no, then
- Does the project achieve AB 32 targeted 29% GHG emission reductions compared with BAU?

Projects that meet one of these guidelines would have less than significant impact on the global climate.

Because BPS have not yet been adopted and identified for specific development projects, and because neither the ARB nor the City of Clovis has not yet adopted a plan for reduction of GHG with which the project can demonstrate compliance, the goal of 29% below BAU for emissions of GHG has been used as a threshold of significance for this analysis.

A Greenhouse Gas Impact Analysis was performed by LSA, dated February 15, 2019. The evaluation concluded that the project is consistent with the goals of the ARB and impact is less than significant.

- a. A significance threshold of 29% below “business as usual” levels is considered to demonstrate that a project would be consistent with the goals of AB 32. A Greenhouse Gas Analysis was performed by LSA. The report concludes that impacts related to conflicts with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases is less than significant.
- b. A Greenhouse Gas Analysis was prepared for the project by LSA. The evaluation addresses the potential for greenhouse gas emissions during construction and after full build out of the proposed project.

GHG emissions were calculated for BAU conditions and for conditions with implementation of GHG emission reduction project design features proposed by the project applicants. The report concludes that the proposed project would not result in any direct impacts to the global climate, and cumulative impacts would be less than significant.

### 3.8 Hazards and Hazardous Materials

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Hazards and Hazardous Materials</b> <i>Will the Project:</i>				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Setting

### Definitions

For purposes of this chapter, the term “hazardous materials” refers to both hazardous substances and hazardous wastes. A “hazardous material” is defined in the Code of Federal Regulations (CFR) as “a substance or material that...is capable of posing an unreasonable risk to health, safety, and property when transported in commerce” (49 CFR 171.8). California Health and Safety Code Section 25501 defines a hazardous material as follows:

“Hazardous material” means any material that, because of its quantity, concentration, or physical, or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. “Hazardous materials” include, but are not limited to, hazardous substances, hazardous waste, and any material which a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment. “Hazardous wastes” are defined in California Health and Safety Code Section 25141(b) as wastes that: ... because of their quantity, concentration, or physical, chemical, or infectious characteristics, [may either] cause or significantly contribute to an increase in mortality or an increase in serious illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

### Schools

Cedarwood Elementary School is located approximately 0.49 miles east of the Project site. Mickey Cox Elementary School is located approximately 0.23 miles southwest of the Project site. No other existing schools or future school sites are located within one-quarter of the project site.

### Impacts

- a.-b. The types and amounts of hazardous materials that would be used in connection with the Project would be typical of those used during construction of commercial developments, including vehicle fuels, paints, oils, and transmission fluids. Similarly, the types and amounts of hazardous materials used during operation of the Project would be typical of such developments and would include cleaning solvents, pesticides for landscaping, painting supplies, and petroleum products. However, all potentially hazardous materials to be used during construction and operation of the Project would be contained, stored, and used in accordance with manufacturers’ instructions and handled in compliance with applicable federal, State, and local regulations. The project includes

construction of a 158-unit multi-family development and does not involve the use, transport or disposal of hazardous materials and would not result in such an impact. Therefore, these impacts are considered less than significant.

- c. Cedarwood Elementary School is located approximately 0.49 miles east of the project site. Mickey Cox Elementary School is located approximately 0.23 miles southwest of the project site. Based on field review, there are no signs of potential contamination or hazardous materials on the project site. All materials used during both the construction and operation of the Project would be used in accordance with manufacturers' instructions and handled in compliance with applicable federal, State, and local regulations. In addition, the Project would not involve the use or handling of acutely hazardous materials, substances, or waste. As such, the use of such materials would not create a significant hazard to nearby schools. Therefore, impacts in this category are considered less than significant.
- d. The land within the Project site is not included on a list of hazardous materials sites. The Department of Toxic Substances Control's Hazardous Waste and Substances Site List (Cortese List) does not list any hazardous waste and substances sites within the City of Clovis ([www.dtsc.ca.gov/database/Calsites/Cortese\\_List.cfm](http://www.dtsc.ca.gov/database/Calsites/Cortese_List.cfm)). Therefore, in the category are less than significant.
- e. The Project site is not located within the Fresno-Yosemite International Airport land use plan area. There are no impacts in this category.
- f. The Project site is not located within the vicinity of a private airstrip, and would not result in a safety hazard for people residing or working in the Project vicinity related to an airstrip or aviation activities. There are no impacts in this category.
- g. Temporary detouring of traffic during construction periods is anticipated. Emergency response departments will be notified per City Standards and Policies. The periods of closure or detouring will be monitored by traffic personnel. The proposed Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant.
- h. The Project site is located in an area surrounded by urban uses. As such, the site is not adjacent to or in close proximity to wildland areas. No impacts are anticipated.

### 3.9 Hydrology and Water Quality

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Hydrology and Water Quality</b> <i>Will the proposal result in:</i>				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

which would not support existing land uses or planned uses for which permits have been granted)?				
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Setting

The General Plan Area is within the drainages of three streams: Dry Creek, Dog Creek, and Redbank Slough. On the north, Dry Creek discharges into the Herndon Canal in the City of Fresno west of Clovis. South of Dry Creek, Dog Creek is a tributary of Redbank Slough, which discharges into Mill Ditch south of Clovis (USGS 2012). A network of storm drains in the City and the Plan Area discharges into 31 retention basins, most of which provide drainage for a one- to two-square-mile area. Most of the Plan Area east and northeast of the City is not in drainage areas served by retention basins. Those areas drain to streams that discharge into reservoirs, including Big Dry Creek Reservoir in the north-central part

the Plan Area and Redbank Creek Dam and Reservoir in the southeast part of the Plan Area. Fancher Creek Dam and Reservoir are near the east Plan Area boundary.

The project is located within the Fresno Metropolitan Flood Control District (FMFCD) boundary, and subject to its standards and regulations. Detention and retention basins in the FMFCD's flood control system are sized to accommodate stormwater from each basin's drainage area in builtout condition. The current capacity standard for FMFCD basins is to contain runoff from six inches of rainfall during a ten-day period and to infiltrate about 75 to 80 percent of annual rainfall into the groundwater basin (Rourke 2014). Basins are highly effective at reducing average concentrations of a broad range of contaminants, including several polyaromatic hydrocarbons, total suspended solids, and most metals (FMFCD 2013). Pollutants are removed by filtration through soil, and thus don't reach the groundwater aquifer (FMFCD 2014). Basins are built to design criteria exceeding statewide Standard Urban Stormwater Mitigation Plan (SUSMP) standards (FMFCD 2013). The urban flood control system provides treatment for all types of development—not just the specific categories of development defined in a SUSMP—thus providing greater water quality protection for surface water and groundwater than does a SUSMP.

In addition to their flood control and water quality functions, many FMFCD basins are used for groundwater recharge with imported surface water during the dry season through contracts with the Fresno Irrigation District (FID) and the cities of Fresno and Clovis; such recharge totaled 29,575 acre feet during calendar year 2012 (FMFCD 2013).

The pipeline collection system in the urban flood control system is designed to convey the peak flow rate from a two-year storm.

Most drainage areas in the urban flood control system do not discharge to other water bodies, and drain mostly through infiltration into groundwater. When necessary, FMFCD can move water from a basin in one such drainage area to a second such basin by pumping water into a street and letting water flow in curb and gutter to a storm drain inlet in an adjoining drainage area (Rourke 2014). Two FMFCD drainage areas discharge directly to the San Joaquin River, and three to an irrigation canal, without storage in a basin. Six drainage areas containing basins discharge to the San Joaquin River, and another 39 basins discharge to canals (FMFCD 2013).

A proposed development that would construct more impervious area on its project site than the affected detention/retention basin is sized to accommodate is required to infiltrate some stormwater onsite, such as through an onsite detention basin or drainage swales (Rourke 2014).

The Big Dry Creek Reservoir has a total storage capacity of about 30 thousand acre-feet (taf) and controls up to 230-year flood flows. Fancher Creek Dam and Reservoir hold up to 9.7 taf and controls up to 200-year flood flows. Redbank Creek Dam and Reservoir hold up to 1 taf and controls up to 200-year flood flows.

## Groundwater

Clovis is underlain by the Kings Groundwater Basin that spans 1,530 square miles of central Fresno County and small areas of northern Kings and Tulare counties. Figure 5.9-4, *Kings Groundwater Basin*, shows that the basin is bounded on the north by the San Joaquin River, on the west by the Delta-Mendota and Westside Subbasins, the south by the Kings River South Fork and the Empire West Side Irrigation District, and on the east by the Sierra Nevada foothills. Depth to groundwater in 2016 ranged from 196.5 feet at the northwest City boundary to 69.5 feet at the southeast City boundary (Clovis 2016), 25 feet at the southeast SOI boundary, and about 20 feet at the eastern Plan Area boundary (FID 2013). The Kings Subbasin has been identified as critically overdrafted (Provost & Pritchard 2017).

In the Plan Area, groundwater levels are monitored by the City of Clovis and FID. The area has not experienced land subsidence due to groundwater pumping since the early 1900s (FID 2006). Subsidence



occurs when underground water or natural resources (e.g., oil) are pumped to the extent that the ground elevation lowers. No significant land subsidence is known to have occurred in the last 50 years as a result of land development, water resources development, groundwater pumping, or oil drilling (FID 2006). The City has identified a localized area of subsidence of 0.6 feet in the vicinity of Minnewawa and Herndon Avenues within the last 14 years (Clovis 2016). Regional ground subsidence in the Plan Area was mapped as less than one foot by the US Geological Survey in 1999 (Galloway and Riley 1999). However, groundwater levels in the San Joaquin Valley are forecast to hit an all-time low in 2014 (UCCHM 2014).

### Groundwater Recharge

New development in accordance with the General Plan Update would increase the amount of impervious surface in the Plan Area, potentially affecting the amount of surface water that filters into the groundwater supply. Groundwater levels are monitored in the Plan Area by the FID and the City of Clovis. As described in the 2015 City of Clovis Urban Water Management Plan (UWMP), groundwater recharge occurs both naturally and artificially throughout the City. The Kings Groundwater Basin area is recharged through a joint effort between the Cities of Clovis and Fresno and the FID (CDWR 2006). Approximately 8,400 acre-feet per year (afy) of water are intentionally recharged into the Kings Groundwater Basin by the City of Clovis, and approximately 7,700 afy of water naturally flow into groundwater in the City's boundaries (Clovis 2011).

The FMFCD urban stormwater drainage system would provide groundwater infiltration for runoff from developed land uses in detention basins in the drainage system service area. The process of expansion of the FMFCD urban storm drainage system is explained above under the analysis of the 2035 Scenario under Impact 5.9-1.

Projects pursuant to the proposed General Plan Update and developed outside of the FMFCD urban stormwater drainage system would be required to meet the requirements of NPDES regulations, including the implementation of BMPs to improve water retention and vegetation on project sites.

### Executive Order to Reduce Water Use

The new Clovis General Plan PEIR indicates that the City would have adequate water supply to meet the demand of planned development through the 2035 planning horizon. The current drought situation through mid-2014 was considered and addressed in the General Plan PEIR.

During the 2015 drought, the Governor's April 1, 2015, executive order and the resulting State Water Resources Board regulations require that urban water users reduce water use by at least 25 percent (36 percent for the City of Clovis), and was implemented by the City of Clovis through a number of measures. These measures included:

- Establishment of mandatory reductions for all users and implementation of penalties for failure to comply
- Restriction of outdoor water use to two days per week
- Increased enforcement of water conservation rules
- Reducing water use on City landscaping by at least 36 percent below 2013 levels
- Relaxing enforcement of all neighborhood preservation ordinances that could require ongoing landscape irrigation
- Increased public outreach

During 2016 due to improved water conditions, the restrictions were relaxed by the State if the water supplier could self-certify adequate water supplies for the next three dry years. Clovis was able to meet this requirement and subsequently relaxed water conservation requirements for 2016.

is noted that all landscaping associated with the project will comply with applicable drought tolerant regulations including the City's adopted Water Efficient Landscape Ordinance. Since the residents within the project are subject to and will comply with water use reduction requirements, the project would not result in any significant adverse impacts related to water supply and quality or a substantial increase in the severity of the impacts identified in the Program EIR.

## Impacts

The proposed project may result in significant impacts if it would violate any water quality standards or waste discharge requirements; substantially deplete groundwater supplies or interfere substantially with ground water recharge; substantially alter the existing drainage pattern if the site; substantially increase the rate or amount of surface runoff; exceed the existing or planned storm water drainage system; provide substantial additional sources of polluted runoff; degrade water quality; place housing or structures within a 100-year flood hazard area; expose people or structures to risks of flooding; and inundation from seiche, tsunami, or mudflow.

The General Plan Program Environmental Impact Report identified significant and unavoidable impacts for both the 2035 scenario and full build-out of the General Plan Area and statement of overriding considerations was adopted.

- a. Development of the project site would be required to comply with all City of Clovis ordinances and standard practices which assure proper grading and storm water drainage into the approved storm water systems. The project would also be required to comply with Fresno County Health Department requirements, FMFCD regulations, and all local, state, and federal regulations to prevent any violation of water quality standards or waste discharge requirements.

Construction activities of the project are subject to several regulations that address erosion and sediment control, and minimize the resulting effects of erosion on water quality. These requirements include adherence to the existing General Construction Permit requirements (pursuant to the NPDES General Permit for Discharges of Stormwater Runoff Associated with Construction Activity), which are specifically aimed at reducing impacts on surface waters that may occur due to construction activities. Specifically, the Permit requires preparation of a stormwater pollution prevention plan (SWPPP) that would incorporate best management practices (BMPs) to improve water retention and vegetation on project sites. Given the extent of existing regulations and mandated compliance that the project would be required to comply with that address reducing or avoiding the erosion of disturbed soils during construction activities, the impact would be less than significant.

- b. The project is served by the City of Clovis' public water system and will not directly utilize groundwater in its construction or operation. As the City of Clovis relies in part on groundwater for its municipal water supply, the project may have an indirect impact on groundwater supplies. However, based on the 2015 Urban Water Management Plan, the City is forecast to have adequate water supplies to meet estimated water demands generated by build out of the General Plan Update under the 2035 Scenario, which included development of the project area with new hospital facilities and other business and commercial uses consistent with the subject proposal. Further, the City has diversified its water supply over time to utilize surface water and recycled water while proportionally decreasing groundwater usage (additional information regarding the City's water supply is included in Chapter 20, Utilities and Service Systems). The project also uses reclamations tanks for the recycling and reuse of water.

Regarding groundwater recharge, the project will increase impervious surfaces in the project area. However, the increase in the amount of impervious surfaces in the area was previously addressed in the Clovis General Plan EIR. As discussed in the Clovis General Plan EIR, most of the areas where development is anticipated are already served by the FMFCD urban drainage system, and

new development would be required to pay Local Drainage Fees to fund drainage improvements pursuant to the FMFCD Master Plan serving the affected drainage areas before the beginning of any work on such developments. Additionally, onsite infrastructure needed such as additional curbs and gutters, storm drain inlets, and underground storm water pipelines will be constructed as part of the project. Given that the project would be adequately served by water supplies already designated for use by the City of Clovis and would not require additional groundwater supply entitlements, and given that the design and operational characteristics of the project would not substantially deplete groundwater resources or interfere with groundwater recharge, impacts to groundwater supplies and recharge would be less than significant.

- c. The project would not alter the existing drainage pattern of the site or area through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site. Therefore, impacts are less than significant.
- d-f. The Project would not alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off-site. Therefore, impacts are less than significant.

The Project site is presently vacant which typically does not result in notable stormwater runoff except when soils are saturated during periods of extended above-normal rainfall. The generation of stormwater runoff from the project site will increase when developed.

Stormwater collection and drainage service needs are provided by the Fresno Metropolitan Flood Control District. The existing off-site stormwater infrastructure from the project site to Basin S was installed with previous development. According to comments received from FMFCD, much of the Master Plan storm drainage system for the area is complete. These facilities are adequate to serve Project's stormwater drainage needs. The project will also be subject to the required drainage fees. Onsite infrastructure such as additional curbs and gutters, storm drain inlets, and underground stormwater pipelines will be constructed as part of the proposed project. The stormwater management needs of the project area and other areas within the City of Clovis were considered in the adoption of the Clovis General Plan and the Fresno Metropolitan Flood Control District's Storm Drainage and Flood Control Master Plan. Compliance with existing plans and regulations will assure that any impacts associated with the project related to drainage and runoff will be less than significant.

- g. The project would not place housing within a 100-year flood hazard area as mapped on the latest federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. The Fresno Metropolitan Flood Control District has policies in place to address projects within a 100-year flood hazard area. The FMFCD has noted that this project is not located in a 100-year flood area.
- h. The project would not place within a 100-year flood hazard area structures that would impede or redirect flood flows. The Fresno Metropolitan Flood Control District has policies in place to address projects within a 100-year flood hazard area. The FMFCD has noted that this project is not located in a 100-year flood area.
- i. The project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
- j. The Project is not located near any ocean, coast, or seiche hazard areas and would not involve the development of residential or other sensitive land uses. Therefore, the Project would not expose people to potential impacts involving seiche or tsunamis. No potential for mudflows is anticipated. There is no impact associated with the proposed Project.

### 3.10 Land Use and Planning

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Land Use and Planning</b> <i>Will the proposal:</i>				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but no limited to the General Plan, Shaw Avenue Specific Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

The project is consistent with the land use policies of the City, including the Clovis General Plan Land Use Diagram and Zoning Ordinance; therefore impacts in this category are avoided.

### 3.11 Mineral Resources

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Mineral Resources</b> <i>Will the proposal:</i>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

The Clovis General Plan states, "The Clovis Project area does not contain those mineral resources that require managed production, according to the State Mining and Geology Board."

The Project would create significant impacts if it results in the loss of availability of a known mineral resource with future value.

- a-b. The proposed Project would not use or extract any mineral or energy resources and would not restrict access to known mineral resource areas. Therefore, there would be no impact.

### 3.12 Noise

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Noise</b> <i>Will the proposal result in:</i>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Environmental Setting

The ambient noise environment in the immediate Project vicinity is defined primarily by local traffic, animals, residents and natural noise associated with an urban residential and commercial environment. The Clovis Development Code (Section 9.22.080) sets forth land use compatibility criteria for various community noise levels.

## Impacts

- a. The construction of the proposed Project would result in temporary construction-related noise impacts. These impacts would be short-term in nature and only occur for a limited duration. Existing Measure 1: Measures to Minimize Effects of Construction-Related Noise will help reduce any potential noise impacts to surrounding uses. Construction noise would be short-term in nature and only occur for a limited duration and are therefore considered less than significant.
- b. Potential groundborne vibration or groundborne noise levels would most likely occur as part of construction activities associated with the project. The construction activities would be temporary in nature and no persons would be exposed for extended periods of time. Therefore, impacts associated with exposure to, or generation of, groundborne vibration or noises are considered to be less than significant.
- c. The proposed project could result in a permanent increase in the ambient noise levels due to increased traffic, population and equipment related to multi-family residential; however, the increases are not expected to exceed the General Plan standards and impacts are considered less than significant.
- d. A temporary increase in ambient noise levels would occur in association with construction activities. However, construction noise would be short-term in nature and only occur for a limited duration. Therefore, impacts are considered less than significant.
- e. The proposed project site is not located within an airport land use plan area. Therefore, the project would not expose people to excessive airport or airstrip noise. There is no impact.
- f. The Project is not located within the vicinity of a private airstrip. There is no impact.

### 3.13 Population and Housing

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Population and Housing</b> <i>Would the Project:</i>				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Environmental Setting

The proposed Project will generate or result in increased population in the area. The Project includes a 158-unit multi-family residential development. The number of new residents in the area would equal approximately 427 residents.

### Impacts

- a. The Project will add 158 units to the area equating to approximately 427 new residents. It is anticipated that this multi-family residential development would introduce a number of new citizens to the City of Clovis, however it is considered to be less than significant.
- b. The Project would not result in displacement of housing.
- c. The Project would not result in displacement of people.

### 3.14 Public Services

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Public Services</b> <i>Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>				
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Setting

The project would not result in a significant increased demand for public services. The project includes a 158-unit multiple-family residential development, consistent with the General Plan; therefore impacts in this category are not anticipated to be significant.

### Impacts

- a. The Project may result in significant public service impacts if it substantially and adversely alters the delivery or provision of fire protection, police protection, schools, facilities maintenance, and other governmental services.

Development of the proposed project would involve a minor addition to the responsibilities to the Clovis Fire Department. It would not degrade the existing service ratio, response time, or other performance objectives. The proposed project would comply with standard mitigation measures, and would not require the construction of new facilities or physically alter existing governmental facilities. The proposed project would have less than significant environmental impact associated with its demand on fire services.

- b. The proposed project would be served by existing police protection resources and would not require the construction of new facilities or physically alter existing facilities. Therefore, the Proposed Project would have a less than significant impact associated with its demand on Police services.
- c. The Project site is located within the Clovis Unified School District. The Clovis Unified School District levies a per square foot school facilities fee to help defray the impact of residential development. The project is subject to the fees in place at the time fee certificates are obtained. The school facility fee paid by the developer to the school district are conclusively deemed to reduce any potential impact to a less than significant level.
- d. Development of this site with a 158-unit multi-family residential development will introduce new residents to the community. The Parks and Recreation Element of the General Plan requires a specific ratio of park area to residents. A park impact fee is required for each new unit and is then used to construct community parks to meet these goals. With payment of these fees, the impacts in this category are less than significant since this Project will contribute to the park funds.
- e. The Project will introduce new residents to Clovis. However, the Project would have a less than significant impact on other public facilities such as recreation, trails, Civic Center services, Senior Services, and County Library.

### 3.15 Recreation

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Recreation</b> <i>Will the proposal:</i>				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



## Environmental Setting

The City of Clovis maintains approximately 285 acres of parks and open space (including a series of recreational trails), as well as a variety of public recreational facilities such as the City of Clovis Batting Cages, the Clovis Rotary Skatepark, and the Clovis Recreation Center. These parks, trails, and recreational facilities are dispersed throughout the City.

### Impacts

- a. The proposed project would not create new demand for any type of recreational facilities that were not already identified in the parks and recreation Element of the General Plan. The General Plan requires that all development contribute a proportionate share toward the development of parks throughout the community. The project would have a less than significant impact to recreation.

### 3.16 Transportation/Circulation

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Transportation/Circulation</b> <i>Will the proposal result in:</i>				
a. Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designed in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- f. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?



## Environmental Setting

Roadways are the primary existing transportation facilities in the vicinity of the project area. Although non-automobile travel does occur in the area, separate facilities for transit, bicycles, or pedestrians are limited. The General Plan classifies major streets in the area as well as designates where bike lanes and pedestrian paths will occur. Implementation of improvements generally occur with development or in the case of streets within County areas, through government funded projects in cooperation with the County.

## Impacts

- a. The project site is currently vacant. The project is proposing a 158-unit multi-family residential development. New traffic will be introduced to this area with the development of this project. The City Engineer has analyzed the Project and concluded that the current and proposed improvements can accommodate the additional traffic, and that impacts are considered less than significant.
- b. The City Engineer analyzed the project and concluded that the current and proposed improvements with the project can accommodate the additional traffic, and that impacts are considered less than significant.
- c. The proposed project may result in a temporary change in traffic patterns due to construction; however, the project will be required to comply with Section 7.15 Traffic Control, Public Convenience, and Safety of the Clovis Standard Specification and Standard Drawings will reduce impacts to a less than significant level.
- d. The City Engineer states that the location of drive access points are adequate in addressing the City Standards and has determined that impacts in this category are less than significant.
- e. The project will not result in inadequate emergency access. The project will be required to comply with Section 7.15 Traffic Control, Public Convenience, and Safety of the Clovis Standard Specification and Standard Drawings, which requires contractors to keep emergency services informed of the location and progress of work.
- f. The project will not conflict with adopted policies, plans, or programs supporting alternative transportation.

### 3.17 Tribal Cultural Resources

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Tribal Culture Resources</b> <i>Would the project cause a substantial adverse change in the significance of a Tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape sacred place, or object with cultural value to a California Native American tribe, and that is:</i>				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

On September 25, 2014, Governor Jerry Brown signed Assembly Bill AB52, which intends to protect a new class of recourse under CEQA. This new class is Tribal Cultural Resources and provides an avenue to identify Tribal Cultural resources through a consultation process, similar to SB18. However, unlike SB18, where consultation is required for all General Plan and Specific Plan Amendments, AB52 applies to all projects for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015. Furthermore, the consultation process is required to be complete prior to filing a Notice of Intent.

The project was mailed to each interested Tribe listed on the latest Tribal Consultation list provided by the Native American Heritage Commission using registered US Mail. The Tribes were provided a 30-day period (from receiving the City letter) in which to request consultation. Once the consultation period ran its course, the CEQA Initial Study was prepared and a Notice of Intent filed with the County Clerk and/or Office of Planning and Research.

- a. A cultural resources review was prepared by LSA, dated January 30, 2019 for the project area. The Southern San Joaquin Valley Information Center (SSJVIC) database indicated that there are no previously recorded cultural resources within the project site.
- b. Per AB52, the project was mailed to all Tribes listed on the Native American Heritage contact list, dated January 25, 2019. Tribes were provided an opportunity to request consultation. The General Plan EIR includes existing measures which provide procedures in the case where resources are discovered. Therefore, impacts in this category are considered less than significant.

### 3.18 Utilities and Service Systems

<b>Utilities and Service Systems</b> <i>Will the proposal:</i>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Environmental Setting

Pacific Gas & Electric (PG&E) provides electricity and natural gas services in the City of Clovis. AT&T/SBC provides telephone service to the City.

The City's water supply sources include groundwater drawn from the Kings Sub-basin of the San Joaquin Valley Groundwater Basin and treated surface water from the Fresno Irrigation District (MID). Surface water is treated at the City of Clovis Surface Water Treatment Facility.

The City of Clovis provides sewer collection service to its residents and businesses. Treatment of wastewater occurs at the Fresno-Clovis Regional Wastewater Treatment Plant (RWTP). The Fresno-Clovis RWTP is operated and maintained by the City of Fresno and operates under a waste discharge requirement issued by the Central Valley Regional Water Quality Control Board. Additionally, the City of Clovis has completed a 2.8 mgd wastewater treatment/water reuse facility, which will service the City's new growth areas.

The Fresno Metropolitan Flood Control District (FMFCD) has the responsibility for storm water management within the Fresno-Clovis metropolitan area of the project site. Stormwater runoff that is generated by land development is controlled through a system of pipelines and storm drainage detention basins.

### Impacts

- a. The wastewater impacts were evaluated in accordance with the Waste Water master Plan. The City Engineer concludes that the project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. Therefore, impacts are considered less than significant.
- b. The project will not directly result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- c. The project may result in the construction of new storm water drainage facilities. The Fresno Metropolitan Flood Control District has policies for this type of project.
- d. The project will not require new or expanded entitlements and resources. The site is also within the Fresno Irrigation District and will turn over the water rights to the City of Clovis upon development.
- e. The project will not require a determination by a wastewater treatment provider (see item b above).
- f. According to the Solid Waste Division, the project will contribute to the landfill, however, the impacts are less than significant.
- g. The project will comply with federal, state, and local statutes as well as regulations related to solid waste by the City of Clovis.

### 3.19 Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Mandatory Findings of Significance</b>				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Environmental Setting

The proposed project includes a 158-unit multi-family residential development located at the southwest corner of Herndon and N. McKelvy Avenues in the City of Clovis.

### Impacts

- Based on the analysis provided in Initial Study, the Project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal.
- Based on the analysis provided in this Initial Study, the project would not result in any significant cumulative impacts relative to other current projects, or the effects of probable future projects.
- Based on the analysis provided in Initial Study, the project will not have environmental effects that will cause substantial adverse effects on human beings.

## **0 Cumulative Impacts**

This section addresses the project's potential to contribute to cumulative impacts in the region. CEQA Guidelines Section 15355 defines cumulative impacts as "two or more individual effects that, when considered together, are considerable or which compound or increase other environmental impacts." The individual effects may be changes resulting from a single project or separate projects. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individually minor yet collectively significant projects taking place over a period of time.

The cumulative setting for the proposed project is the build-out of the City of Clovis General Plan which was adopted in 2014. The City has processed several General Plan Amendments since 2014, all of which were included in the project's analysis related to water, sewer, traffic, air quality, and greenhouse gas impacts.

### **Aesthetics**

The environmental impact report for the City of 2014 Clovis General Plan concluded that the cumulative adverse impacts upon the community's aesthetic conditions anticipated to occur due to the projected urban growth and development would not be considerable. This determination was based upon the provisions of numerous General Plan goals and policies and implementing requirements of the City's Development Code which promote the visual quality and compatibility of new development. A mitigation measure to shield lighting and/or utilize additional spacing to reduce the potential is included in the conditions of approval and mitigation measures.

### **Agriculture and Forest Resources**

The proposed project would not substantially contribute to the conversion of agricultural land or forest land to urban or other uses. There are no forest lands in adjacent to or in the immediate vicinity. The project area is not classified as Prime Farmland or Farmland of Statewide Importance, therefore, the project would result in a less than significant cumulative agricultural or forest resources impact.

### **Air Quality**

Implementation of the project could result in cumulative short-term construction air quality impacts associated with increased emissions. The project would not result in cumulative air quality impacts to the region. Existing measures are incorporated to address Air Quality Standards during construction. The project would result in less than significant cumulative air quality impacts.

### **Biological Resources**

The project could result in significant impacts to nesting migratory and nongame birds without mitigation. The project would have a less than significant impact to cumulative biological resources with a mitigation measure incorporated.

### **Cultural Resources**

The proposed project is not anticipated to contribute to any potential impacts related to cultural and/or paleontological impacts. Any impacts would be site specific and would not contribute to cumulative impacts. Therefore, the project would have a less than significant impact to cumulative cultural resources.

## **Geology and Soils**

Project impacts associated with geology and soils would be site-specific and implementation of the project would not contribute to cumulative seismic hazards. Therefore, the project would create no impact to cumulative geophysical conditions.

### **Greenhouse Gas Emissions**

As discussed under Section 3. Greenhouse Gas Emissions, implementation of the proposed project would contribute to GHG emissions, which is inherently a cumulative issue. The emissions from construction would be short-term (during construction) as a result of various fossil fuel-based construction equipment. Since these impacts are short-term and the contributions to GHG emissions would be minor when compared to the State's GHG emissions target of 427 MMTCO<sub>2</sub>-eq by 2020, the construction related greenhouse gas emissions of this project would be considered a less than significant cumulative impact.

The operational emissions from the Project would be as the result of indirect emissions from electricity usage of the well pump, emissions resulting from the occasional operation of the emergency back-up diesel generator when the power fails, and emissions from maintenance vehicles. These emissions would not be substantial and are considered less than significant. The Project's related GHG emissions would not contribute significantly to global climate change and would not impede the State's ability to meet its greenhouse gas reduction targets under AB 32.

### **Hazards & Hazardous Materials**

The proposed project is not expected to have significant impacts as the result of hazards or hazardous materials; therefore, the project is expected to have a less than significant impact to cumulative hazards and hazardous materials impacts.

### **Hydrology/Water Quality**

The proposed project would not contribute to cumulative surface water quality impacts associated with construction and operational activities. As described in Section 3.9 Hydrology/Water Quality, the proposed project would not substantially alter the direction of groundwater flows, or result in a substantial change in the quantity of groundwater. The project would have a less than significant impact to cumulative water conditions.

### **Land Use Planning & Population/Housing**

With the implementation of the mitigation measure identified in Sections 3.1 (Aesthetics), land use impacts would be less than significant. The project will not have significant impacts to housing or population. The proposed project is not expected to result in substantial cumulative impacts to land use planning, population or housing.

### **Mineral Resources**

The proposed project is expected to have no impact to any site-specific mineral resources: therefore, the project is expected to have a less than significant impact to cumulative mineral resource impacts.

### **Noise**

As described in Section 3.12 Noise, the Project could result in increased construction noise as well as long-term traffic noise impacts. These impacts are less than significant and would not contribute to any cumulative impacts creating a level of significance.



The proposed project creates additional units and residents but as identified in the initial study, would not result in significant impacts to public services. The project would have less than significant to cumulative public services conditions.

**Recreation**

The proposed Project creates additional multi-family units and residents but as identified in the initial study, would not result in significant impacts to recreation. The proposed Project would not result in significant impacts to recreation uses and/or resources. Thus, a less than significant impact to recreation is anticipated.

**Transportation/Circulation**

The proposed project would not contribute to short-term or long-term traffic congestion impacts. The project is not expected to impact cumulative transportation/circulation conditions. Therefore, the Project would have a less than significant impact on cumulative transportation and circulation conditions.

**Tribal Cultural**

Tribal Cultural resources are site specific. The proposed project would not cause a substantial adverse change in the significance on a cumulative Tribal cultural resource.

**Utilities and Service Systems**

The Clovis General Plan and other plans and reports have designated the project area for urban development which is planned to be served by municipal public utility systems. Development of the site as well as urban development of other vacant properties in the immediate vicinity, will increase demand for public services and necessitate construction of public utility infrastructure improvements.

The Clovis General Plan and other related long-range planning documents – such as the UMWP, the Water Master Plan Phase III, and Sewer System Management Plan – include analysis showing that adequate services for water, sewer, and solid waste disposal can be provided to accommodate the build out of the general plan. Since the project is consistent with general plan policies and its demand on public utilities is within the growth parameters considered in the City's long-range planning documents, the project would not have a cumulatively considerable impact with respect to utilities and service systems.

## Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion in this Initial Study.

The environmental factors checked below would be potentially affected by this project. None of these factors represents a “Potentially Significant Impact” as indicated by this Initial Study.

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Agriculture and Forest Resources   | <input checked="" type="checkbox"/> Air Quality                 |
| <input checked="" type="checkbox"/> Biological Resources               | <input checked="" type="checkbox"/> Cultural Resources      | <input checked="" type="checkbox"/> Geology/Soils               |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions           | <input checked="" type="checkbox"/> Hazards & Haz Materials | <input checked="" type="checkbox"/> Hydrology / Water Quality   |
| <input type="checkbox"/> Land Use / Planning                           | <input type="checkbox"/> Mineral Resources                  | <input checked="" type="checkbox"/> Noise                       |
| <input checked="" type="checkbox"/> Population / Housing               | <input checked="" type="checkbox"/> Public Services         | <input checked="" type="checkbox"/> Recreation                  |
| <input checked="" type="checkbox"/> Transportation/Traffic             | <input checked="" type="checkbox"/> Tribal Cultural         | <input checked="" type="checkbox"/> Utilities / Service Systems |
| <input checked="" type="checkbox"/> Mandatory Findings of Significance |   |   |

## 5.0 Determination Findings

The potential impacts identified in this Initial Study are considered to be less than significant since they will cease upon completion of construction, or do not exceed a threshold of significance. Therefore, a Mitigated Negative Declaration is the appropriate level of documentation for this project.

According to the analysis in this Initial Study, based on substantial evidence in the public record, the City of Clovis finds:

- This Initial Study, prepared pursuant to CEQA Section 15063, has identified potentially significant environmental effects that would result from the project.
- The City has reviewed the proposed project impacts and has determined the following mitigation measures will address the identified impacts and reduce impacts to the level required by applicable standards:
  - **3.1-d:** The developer shall direct all lighting downward and provide physical shields to prevent direct view of the light source from adjacent residential properties.
  - **3.4-a1:** The applicant shall conduct a pre-construction general nesting bird survey within all suitable nesting that may be impacted by active construction during the general avian breeding season (January 1 to September 15). The pre-construction surveys shall be conducted no more than fourteen days prior to initiation of construction.
  - **3.4-a2:** If no active avian nests are identified within the proposed development project area or within a 300-foot buffer of the proposed development project area, no further mitigation is necessary. If active nests of bird species covered by the Migratory Bird Treaty Act are detected within the proposed development project area or within a 300-foot buffer of the proposed development project area, construction shall be halted until the young have fledged, until a qualified biologist has determined the nest is inactive, or until appropriate mitigation measures that respond to the specific situation have been developed and implemented in consultation with the regulatory agencies.

- **3.4-a3:** If construction activities are not initiated immediately after focused surveys have been completed, additional preconstruction special status species surveys may be required, in accordance with the California Endangered Species Act and Federal Endangered Species Act.
- The City finds that the cumulative impacts of this project are less than significant as described in Section 4.0 (Cumulative Impacts). As such, this project would not generate significant cumulative impacts.
- Feasible mitigation measures have been incorporated to revise the project before the Mitigated Negative Declaration and Initial Study is released for public review pursuant to CEQA Section 15070 in order to avoid or mitigate the identified effects to a point where clearly no significant effects on the environment will occur.
- The City finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described above have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- As required by CEQA Section 21081.6 et seq., a mitigation monitoring program (Section 6.0) will be adopted by incorporating mitigation measures into the project plan (CEQA Section 21081.6(b)).
- There is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment (CEQA Section 21064.5(2)).
- Based on the above-referenced Initial Study and feasible mitigation measures incorporated to revise the proposed project in order to avoid the effects or mitigate the effects to the point where clearly no significant effect on the environment will occur, staff finds that a Mitigated Negative Declaration should be adopted pursuant to CEQA Section 15070 for the proposed project.

Signature \_\_\_\_\_ Date: March 5, 2019  
George González, MPA, Associate Planner

*Applicant's Concurrence*

In accordance with Section 15070 (b) (1) of the CEQA Guidelines, we hereby consent to the incorporation of the identified mitigation measures which are also contained in Section 6.0 of this document.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

## 6.0 Mitigation Monitoring EXHIBIT B

### City of Clovis Mitigation Monitoring and Reporting Program Rezone R2018-11, Conditional Use Permit CUP2018-13 and Site Plan Review SPR2018-25 Dated: March 5, 2019

#### 6.1 Introduction

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to “adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” A MMRP is required for the proposed project because the Mitigated Negative Declaration has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

The MMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in this Mitigated Negative Declaration.

The City of Clovis will be the primary agency, but not the only agency responsible for implementing the mitigation measures. The MMRP is presented in tabular form on the following pages. The components of the MMRP are described briefly below:

- **Mitigation Measures:** The mitigation measures are taken from the Mitigated Negative Declaration, in the same order that they appear in the Mitigated Negative Declaration.
- **Mitigation Timing:** Identifies at which stage of the project mitigation must be completed.
- **Monitoring Responsibility:** Identifies the department within the City responsible for mitigation monitoring.
- **Compliance Verification Responsibility:** Identifies the department of the City or other State agency responsible for verifying compliance with the mitigation. In some cases, verification will include contact with responsible state and federal agencies.

#### 6.2 Mitigation Monitoring Program

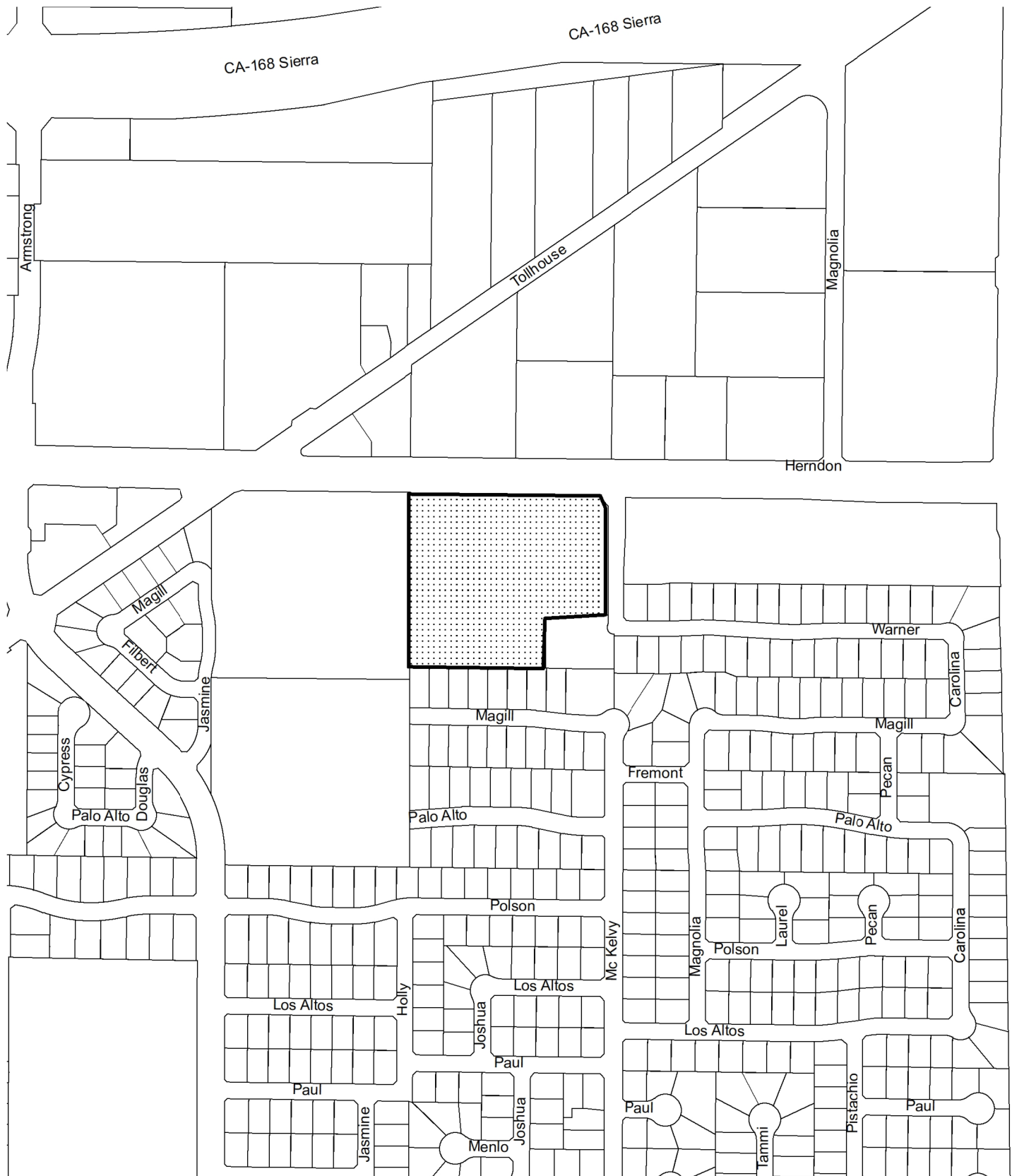
Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
<b>3.1 Aesthetics</b>				
3.1-d	The developer shall direct all lighting downward and provide physical shields to prevent direct	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	view of the light source from adjacent residential properties.			
<b>3.4 Biological</b>				
3.4-a1	The applicant shall conduct a pre-construction general nesting bird survey within all suitable nesting that may be impacted by active construction during the general avian breeding season (January 1 to September 15). The pre-construction surveys shall be conducted no more than fourteen days prior to initiation of construction.	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	
3.4.a2	If no active avian nests are identified within the proposed development project area or within a 300-foot buffer of the proposed development project area, no further mitigation is necessary. If active nests of bird species covered by the Migratory Bird Treaty Act are detected within the proposed development project area or within a 300-foot buffer of the proposed development project area, construction shall be halted until the young have	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	fledged, until a qualified biologist has determined the nest is inactive, or until appropriate mitigation measures that respond to the specific situation have been developed and implemented in consultation with the regulatory agencies.			
3.4-a3	If construction activities are not initiated immediately after focused surveys have been completed, additional preconstruction special status species surveys may be required, in accordance with the California Endangered Species Act and Federal Endangered Species Act.	City of Clovis Planning	<i>Prior to Permits and During Construction</i>	

## 7.0 Report Preparation

CITY OF CLOVIS- LEAD AGENCY  
 PLANNING DIVISION  
 George González, MPA, Associate Planner  
 1033 Fifth Street  
 Clovis, CA 93612  
 (559) 324-2383  
[georgeg@cityofclovis.com](mailto:georgeg@cityofclovis.com)



**ATTACHMENT 3**  
**Conditions of Approval – R2018-11 & CUP2018-13**

**PLANNING DIVISION CONDITIONS**  
**(George González, Division Representative – (559) 324-2383)**

1. This Project is subject to the development standards of the General Plan Land Use Diagram and the multiple family residential design guidelines.
2. Rezone R2018-11 approves an R-3 Zoning permitting the development of a multi-family product. Density shall be consistent with the General Plan Land Use Diagram, Mixed Use/ Business Campus designation and not exceed 25.0 dwelling units per acre.
3. Conditional Use Permit CUP2018-13 allows 3-story buildings and 48-feet, 6-inches in height for Building Types 1, 1A and 3. Additionally, CUP2018-13 allows 36-feet, 4-inches in height for Building Types 2 and 5, allows 36-feet, 3-inches in height for Building Type 5A.
4. Development of this site shall be a multi-family residential development consistent with Rezone R2018-11, Conditional Use Permit CUP2018-13 and Site Plan Review SPR2018-25.
5. The development shall utilize the development standards of the R-3 Zone District.
6. Herndon Avenue shall have a 25-foot landscape/pedestrian setback, with a 10-foot parkway, 5-foot sidewalk, and 10-foot landscape setback.
7. N. McKelvy Avenue shall have a 20-foot landscape/pedestrian setback, with a 5-foot parkway, 5-foot sidewalk, and 10-foot landscape setback.
8. The applicant shall obtain City approval in advance of temporary and permanent multi-family signs through separate sign review, consistent with the development criteria of the Clovis Municipal Code Sign Ordinance.
9. The development is permitted a double side monument sign on McKelvy Avenue with a total of 24 square feet each side and maximum height of 6 feet.
10. All transformers for the multi-family development shall be located underground. Pad mounted transformers may be considered through an Administrative Use Permit.
11. All landscaping (open space and private yards) shall conform the City of Clovis Water Efficient Landscape Ordinance.
12. The project shall meet the density requirements within Focus Area #5 of 15.1 to 25 units per acre. Density shall be calculated using the Net Developable Acreage. Net Developable Acreage includes all portions of the site excluding private drives and the project's community open space.
13. This project shall have an on-site manager.



14. The developer shall provide the following parking requirements:

- 1 and 2 bedroom units – 2 spaces for each dwelling unit, of which at least 1 shall be covered.
- 3 or more bedroom units – 3 spaces for each dwelling unit, of which at least 1 shall be covered.

15. Per the proposed site plan (Attachment 11), the developer shall provide a total of 348 parking stalls, of which at least 158 stalls shall be covered. The development is currently providing 326 parking stalls, including 158 covered stalls. The applicant shall provide an additional 22 open parking stalls.

16. Covered parking stalls shall be a minimum of 10' x 20' (inside dimension).

17. Open stalls shall be a minimum of 9' x 20'. The applicant may use the optional 17' stall with 3' bumper overhang.

18. Carports shall be cantilevered type with posts toward front of stalls.

19. The project requires the submittal and approval of a site plan review. Specific colors, materials, walls, fencing, and landscaping will be evaluated.

20. A minimum six foot high masonry wall shall be constructed along the west, east, north, and south property lines of the development.

21. The developer shall construct a minimum six-foot high solid split face masonry wall along the Herndon Avenue frontage.

22. The proposed fencing along the McKelvy Avenue frontage shall be constructed of decorative tubular steel with masonry columns or solid split face masonry.

23. Wall height shall be measured from the highest point of finished grade.

24. If court challenge is presented in association with the Mitigated Negative Declaration and/or Initial Study, the applicant shall hold the City harmless and prepare any required assessments/ studies at no cost to the City.

25. The developer shall comply with all mitigation measures as identified in the adopted mitigation monitoring program for this rezone and conditional use permit.

- **3.1-d** The developer shall direct all lighting downward and provide physical shields to prevent direct view of the light source from adjacent residential properties.

- **3.4** The applicant shall conduct a pre-construction general nesting bird survey within all suitable nesting that may be impacted by active construction during the general avian breeding season (January 1 to September 15). The pre-construction surveys shall be conducted no more than fourteen days prior to initiation of construction.

If no active avian nests are identified within the proposed development project area or within a 300-foot buffer of the proposed development project area, no further mitigation is necessary. If active nests of bird species covered by the Migratory Bird Treaty Act are detected within the proposed development project area or within a 300-foot buffer of the proposed development project area, construction shall be halted until the young have fledged, until a qualified biologist has determined the nest is inactive, or until appropriate mitigation measures that respond to the specific situation have been developed and implemented in consultation with the regulatory agencies.

If construction activities are not initiated immediately after focused surveys have been completed, additional preconstruction special status species surveys may be required, in accordance with the California Endangered Species Act and Federal Endangered Species Act.

#### **POLICE DEPARTMENT CONDITIONS**

**(Curt Shurtliff, Department Representative - 324-2400)**

26. Construction work shall be limited to the hours set forth in the Clovis Municipal Code. (CMC § 5.18.15.)
27. It shall be the responsibility of the property owner to maintain the structures and adjoining fences to the project free of graffiti. All forms of graffiti shall be removed within 72 hours. (CMC §§ 5.18.02(r), 5.18.06 (b).)
28. Emergency phone numbers for responsible parties shall be kept current during the building phase of the project.
29. All construction materials shall be located within a secured area or monitored by security staff during non-construction hours.

#### **FIRE DEPARTMENT CONDITIONS**

**(Gary Sawhill, Department Representative - 324-2224)**

30. **Two Points of Access:** Any development to this parcel will require a minimum of two (2) points of access to be reviewed and approved by the Clovis Fire Department. All required access drives shall remain accessible during all phases of construction which includes paving, concrete work, underground work, landscaping, perimeter walls.
31. **Fire apparatus Access Roads (26'):** Fire apparatus access roads shall have an

unobstructed width of not less than twenty-six feet (26') to all buildings and an unobstructed vertical clearance of not less than fourteen feet (14').

32. **Fire Lane:** All roads throughout complex shall be designated as Fire Lanes. The fire lanes curbs shall be painted red as per Clovis Fire Department Standard #1.1 and identified on site plan.
33. **Turning Radius:** All access way roads constructed shall be designed with a minimum outside turning radius of forty-five feet (45').
34. **Fire Access – Landscape Obstruction:** Landscaping trees or shrubs located adjacent to the fire access drives shall be of the type that will not impede fire access due to their growth process.
35. **Driveway Access:** A driveway approach to a designated fire access road shall have a minimum width of thirty-two feet (32') or equal to the width of the fire access road it services, plus six feet (6'), whichever is greater. Roads having a high potential for impairment of the department access shall have a wider driveway approach, as determined by the Fire Chief.
36. **Security Gates:** All security gates shall comply with Clovis Fire Department Gates Standard #1.5. Plans shall be submitted for review and permits issued by Fire Department prior to installation.
37. **Perimeter Fire Walking Access:** Walking access is required to reach building openings within two-hundred feet (200') of a paved surface designed to fire apparatus use. Required walking access shall be designed to prevent sharp turns or obstacles that would hinder the carrying of ground ladders and other hand-held equipment. Gates shall be a minimum of four feet (4') in width if they are used in the walking access path. Gates that are locked and are required for building access shall have a fire/police padlock or approved lock box with gate keys installed for access and shall comply with Clovis Fire Department Gates Standard #1.5.
38. **All Weather Access & Water Supply:** The applicant shall provide all weather access to the site during all phases of construction to the satisfaction of the approved Clovis Fire Department Standard #1.2 or #1.3.
39. **Commercial Fire Hydrant:** The applicant shall install 4 4 ½" x 4 ½" x 2 ½" approved Commercial Type hydrant(s) and "Blue Dot" hydrant locators, paint fire hydrant(s) yellow with blue top and caps, and paint the curb red as specified by the adopted Clovis Fire Department Standard #1.4. Plans shall be submitted to the Clovis Fire Department for review and approval prior to installation. The hydrant(s) shall be charged and in operation prior to any framing or combustible material being brought onto the site. Hydrants curb markings and blue dots to be completed prior to occupancy of any units.

40. **Looped Water Main:** The applicant shall install approved looped water main capable of the necessary flow of water for adequate fire protection and approved by the Clovis Fire Department.
41. **Vehicle Impact Protection:** The applicant must install protection posts that meet the City of Clovis specifications according to Clovis Fire Department Standard #1.7.
42. **Apartment Fire Sprinklers:** The applicant shall install an automatic fire sprinkler system in all apartment buildings as per NFPA 13 or 13R standards as approved by the Fire Department.
43. **Underground Fire Service Line Installation:** Installation shall be per Clovis Fire Standard #2.1. Prior to installation, the applicant shall submit fire sprinkler underground water supply plans for review and approval and issuance of a permit by the Clovis Fire Department. Prior to final acceptance, the underground fire service line shall be inspected, pressure tested and flushed in the presence of a Clovis Fire Department inspector. A permit is required to be on-site for all inspections requests.
44. **FDC Location:** The Fire Department Connection to the automatic fire sprinkler system shall be shown on the site utility plan. This will be reviewed and approved by the Clovis Fire Department before installation.
45. **Monitored Sprinklers:** All valves controlling the water supply for automatic sprinkler systems and water flow switches on all sprinkler systems shall be electronically monitored for integrity.
46. **Apartment Fire Extinguishers:** The applicant shall install approved fire extinguishers, 2A-10BC minimum rating, with a maximum travel of seventy-five feet (75') from any apartment unit's front door. These should be located and approved by the Clovis Fire Department prior to building occupancy.
47. **Address Numbers:** Address numbers shall be installed on every building as per adopted Clovis Fire Department Standard #1.8. Apartment Complex map and addressing at entry gates shall be approved by Clovis Fire Department prior to occupancy.
48. **Construction Type:** Buildings that are 3 stories require 1 hour construction or a full NFPA 13 fire sprinkler system. Buildings with a foot print of 7000 sq ft or larger require 1 hour construction or a full NFPA 13 fire sprinkler system.
49. Review for compliance with fire and life safety requirements for the building interior and its intended use are reviewed by both the Fire Department and the Building Departments. When a submittal for building plan review is made as required by the California Building Code by the architect or engineer of record for the building further comments will be given.

**CLOVIS UNIFIED SCHOOL DISTRICT CONDITIONS**  
**(Michael Johnston, CUSD Representative – 559-327-9000)**

50. The development of this project is subject to the Clovis Unified School District impact fee.

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT CONDITIONS**  
**(Robert Villalobos, FMFCD Representative - 456-3292)**

51. The applicant shall refer to the attached FMFCD requirements. If the list is not attached, please contact the District for the list of requirements.

**FRESNO IRRIGATION DISTRICT CONDITIONS**  
**(Laurence Kimura, FID Representative - 233-7161)**

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

**COUNTY OF FRESNO COMMENTS**  
**(Steve Farmer, County of Fresno Representative - 488-2892)**

53. The applicant shall pay the County of Fresno's facilities impact fees set forth in the applicable Schedule of Fees adopted by the County Board of Supervisors, in County Ordinance, Chapter 17.90.

**DRAFT  
RESOLUTION 19-\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING  
A MITIGATED NEGATIVE DECLARATION FOR REZONE R2018-11, CONDITIONAL USE  
PERMIT CUP2018-13 AND SITE PLAN REVIEW SPR2018-25, PURSUANT TO CEQA  
GUIDELINES**

**WHEREAS**, the project proponent, Marc O' Polo Enterprises, Inc., 7471 N. Remington, Suite 100, Fresno, CA 93711, has submitted various files including a Rezone R2018-11, Conditional Use Permit CUP2018-13 and Site Plan Review SPR2018-25 for property located at the southwest corner of Herndon and N. McKelvy Avenues, in the City of Clovis; and

**WHEREAS**, the City of Clovis ("City") caused to be prepared an Initial Study (hereinafter incorporated by reference) in March 2019, for the Project to evaluate potentially significant adverse environmental impacts. On the basis of that study, it was determined that no significant environmental impacts would result from this Project with mitigation measures included; and

**WHEREAS**, on the basis of this Initial Study, a Mitigated Negative Declaration has been prepared, circulated, and made available for public comment pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Code, section 21000, et seq., and Guidelines for implementation of CEQA, 14 California Code of Regulations, sections 15000, et seq.; and

**WHEREAS**, the Planning Commission has independently reviewed, evaluated, and considered the Initial Study, Mitigated Negative Declaration and all comments, written and oral, received from persons who reviewed the Mitigated Negative Declaration, or otherwise commented on the Project.

**NOW, THEREFORE, the Planning Commission of the City of Clovis resolves as follows:**

1. Adopts the foregoing recitals as true and correct.
2. Finds that the Initial Study and Mitigated Negative Declaration for the Project are adequate and have been completed in compliance with CEQA and the CEQA Guidelines.
3. Finds and declares that the Initial Study and Mitigated Negative Declaration were presented to the Planning Commission and that the Planning Commission has independently reviewed, evaluated, and considered the Initial Study, Mitigated Negative Declaration and all comments, written and oral, received from persons who reviewed the Initial Study and Mitigated Negative Declaration, or otherwise commented on the Project prior to approving the Project and recommends the adoption of a Mitigated Negative Declaration for this project.
4. Approves and adopts the Mitigation Monitoring Program set forth in Exhibit "B," including the mitigation measures identified therein and as described in the Mitigated Negative Declaration.

5. Directs that the record of these proceedings be contained in the Department of Planning and Development Services located at 1033 Fifth Street, Clovis, California 93612, and that the custodian of the record be the City Planner or other person designated by the Planning and Development Services Director.
6. The Planning and Development Services Director, or his/her designee, is authorized to file a Notice of Determination for the Project in accordance with CEQA and to pay any fees required for such filing.

\* \* \* \* \*

The foregoing resolution was introduced and adopted at a regular meeting of the Planning Commission of the City of Clovis held on March 28, 2019, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

CLOVIS PLANNING COMMISSION RESOLUTION NO. 19-\_\_

Date: March 28, 2019

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Amy Hatcher, Chair

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Dwight Kroll, AICP, Secretary

## EXHIBIT “B”

### Mitigation Monitoring and Reporting Program

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
<b>3.1 Aesthetics</b>				
<b>3.1-d</b>	The developer shall direct all lighting downward and provide physical shields to prevent direct view of the light source from adjacent residential properties.	City of Clovis Planning Division	<i>Prior to Permit and During construction</i>	
<b>3.4 Biological</b>				
<b>3.4-a</b>	<p>The applicant shall conduct a pre-construction general nesting bird survey within all suitable nesting that may be impacted by active construction during the general avian breeding season (January 1 to September 15). The pre-construction surveys shall be conducted no more than fourteen days prior to initiation of construction.</p> <p>If no active avian nests are identified within the proposed development project area or within a 300-foot buffer of the proposed development project area, no further mitigation is necessary. If active nests of bird species covered by the Migratory Bird Treaty Act are detected within the proposed development project area or within a 300-foot buffer of the proposed development project area, construction shall be halted until the young have fledged, until a qualified biologist has determined the nest is inactive, or until appropriate mitigation measures that respond to the specific situation have been developed and implemented in consultation with the regulatory agencies.</p> <p>If construction activities are not initiated immediately after focused surveys have been completed,</p>	City of Clovis Planning Division	<i>Prior to Permits and During Construction</i>	



Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	additional preconstruction special status species surveys may be required, in accordance with the California Endangered Species Act and Federal Endangered Species Act.			

**DRAFT  
RESOLUTION 19-\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS RECOMMENDING  
APPROVAL TO REZONE APPROXIMATELY 7.5 ACRES FROM THE R-A (SINGLE-FAMILY  
RESIDENTIAL – 24,000 SQ. FT.) ZONE DISTRICT TO THE R-3 (MEDIUM DENSITY MULTIPLE  
FAMILY RESIDENTIAL)(1 UNIT/2,000 SQ. FT.) ZONE DISTRICT FOR PROPERTY LOCATED AT  
THE SOUTHWEST CORNER OF HERNDON AND N. MCKELVY AVENUES AND APPROVING A  
MITIGATED NEGATIVE DECLARATION PURSUANT TO CEQA GUIDELINES**

**LEGAL DESCRIPTION:**

See the attached Exhibit “One.”

**WHEREAS**, Marc O’ Polo Enterprises, Inc., 7471 N. Remington, Suite 100, Fresno, CA 93711, has applied for a Rezone R2018-11; and

**WHEREAS**, this is a request to rezone approximately 7.5 acres from the R-A (Single-Family Residential – 24,000 Sq. Ft.) Zone District to the R-3 (Medium Density Multiple Family Residential)(1 Unit/2,000 Sq. Ft.) Zone District for property located at the southwest corner of Herndon and N. McKelvy Avenues, in the City of Clovis, California; and

**WHEREAS**, the Commission does approve a Mitigated Negative Declaration pursuant to CEQA guidelines.

**WHEREAS**, a public notice was sent out to area residents within 600 feet of said property boundaries twenty-one days prior to said hearing; and

**WHEREAS**, the Rezoning is in keeping with the intent and purpose of the Zoning Ordinance; and

**WHEREAS**, after hearing evidence gathered by itself and on its behalf and after making the following findings, namely;

1. The proposed amendment is consistent with the goals, policies, and actions of the General Plan; and
2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.
3. The parcel is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning designations and anticipated land uses/projects. (§ 2, Ord. 14-13, eff. October 8, 2014)
4. The Planning Commission does approve a Mitigated Negative Declaration for the project pursuant to CEQA guidelines.

**NOW, THEREFORE, BE IT RESOLVED** that the Clovis Planning Commission does recommend approval of Rezone R2018-11, subject to the attached conditions of approval labeled Attachment 3.

The foregoing resolution was approved by the Clovis Planning Commission at its regular meeting on March 28, 2019, upon a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and passed by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 19-\_\_\_\_

DATED: March 28, 2019

\_\_\_\_\_  
Amy Hatcher, Chair

ATTEST:

\_\_\_\_\_  
Dwight Kroll, AICP, Secretary

**DRAFT  
RESOLUTION 19-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING A  
CONDITIONAL USE PERMIT TO ALLOW 3-STORY BUILDINGS AND 48-FEET, 6-INCHES IN  
HEIGHT FOR BUILDING TYPES 1, 1A AND 3. ADDITIONALLY, ALLOW 36-FEET, 4-INCHES IN  
HEIGHT FOR BUILDING TYPES 2 AND 5, ALLOW 36-FEET, 3-INCHES IN HEIGHT FOR BUILDING  
TYPE 5A FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF HERNDON AND N.  
MCKELVY AVENUES AND APPROING A MITIGATED NEGATIVE DECLARATION PURSUANT TO  
CEQA GUIDELINES**

**WHEREAS**, Marc O' Polo Enterprises, Inc., 7471 N. Remington, Suite 100, Fresno, CA 93711, has applied for a Conditional Use Permit CUP2018-13; and

**WHEREAS**, this is a request to approve a conditional use permit to allow 3-story buildings and 48-feet, 6-inches in height for Building Types 1, 1A and 3. Additionally, allow 36-feet, 4-inches in height for Building Types 2 and 5, allow 36-feet, 3-inches in height for Building Type 5A for property located at the southwest corner of Herndon and N. McKelvy Avenues, in the City of Clovis, County of Fresno; and

**WHEREAS**, a public notice was sent out to area residents within 600 feet of said property boundaries twenty-one days prior to said hearing; and

**WHEREAS**, a duly noticed hearing was held on March 28, 2019; and

**WHEREAS**, the proposed Conditional Use Permit CUP2018-13, was assessed under the provisions of the California Environmental Quality Act (CEQA) and the potential effects on the environment were considered by the Planning Commission, together with comments received and public comments, and the entire public record was reviewed; and

**WHEREAS**, the Planning Commission does approve a Mitigated Negative Declaration pursuant to CEQA guidelines.

**WHEREAS**, the Commission, has reviewed and considered the staff report and all written materials submitted in connection with the request including the conditions attached as Attachment 3 to this resolution and incorporated herein by this reference, and hearing and considering the testimony presented during the public hearing; and:

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 this Development Code;
2. The proposed use is consistent with the General Plan and any applicable specific 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;
4. The subject parcel is physically suitable in size and shape for the type and density/ intensity of use being proposed;
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; and

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. (§ 2, Ord. 14-13, eff. October 8, 2014)
7. The Planning Commission does approve a Mitigated Negative Declaration pursuant to CEQA guidelines.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Clovis Planning Commission does approve CUP2018-13, subject to the attached conditions labeled Attachment 3.

\* \* \* \* \*

The foregoing resolution was adopted by the Clovis Planning Commission at its regular meeting on March 28, 2019, upon a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and passed by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 19-\_\_

DATED: March 28, 2019

\_\_\_\_\_  
Amy Hatcher, Chair

ATTEST:

\_\_\_\_\_  
Dwight Kroll, AICP, Secretary

**98 DEPARTMENT OF TRANSPORTATION****DISTRICT 6**

1352 WEST OLIVE AVENUE  
P.O. BOX 12616  
FRESNO, CA 93778-2616  
PHONE (559) 488-7307  
FAX (559) 488-4088  
TTY 711  
www.dot.ca.gov



*Serious drought.  
Help save water!*

October 26, 2018

FRE-168-8.429

SPR2018-25, CUP2018-13, R2018-11  
HERNDON-MCKELVEY APARTMENTS

Mr. George Gonzalez  
Associate Planner  
City of Clovis  
1033 Fifth Street  
Clovis, California 93612

Dear Mr. Gonzalez:

Caltrans has completed its review of a proposal to build multi-family housing totaling 158 units at the southwest corner of Herndon and McKelvey Avenues. The project involves the concurrent processing of applications for site plan review (SPR2018-25), conditional use permit (CUP2018-13), and rezone (R2018-11). It is Caltrans' mission to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The following comments are provided, consistent with the State's goals of supporting vibrant economy and sustainable communities:

Sustainability

Nationwide, there is a housing shortage, which is why Caltrans supports the development of denser housing located near points of interest—as this project proposes. However, the housing shortage disproportionately affects persons of lower income. So, the City is encouraged to assess how many units should be earmarked for affordable rentals, and what threshold of affordability will apply, for this project.

A housing project of this size can become a heat island for lack of greenery. The plans provided did not include landscape details so, if they have not already, the developer is recommended to include shade trees and drought tolerant plants wherever possible. Further heat mitigation can be achieved through use of green roofs whose benefits are twofold: they beautify the views for second- and third-story occupants, and they reduce demand for air conditioning (lowering utility costs and reducing greenhouse gas emissions).

Traffic

The proposed development will add a minimum 158 vehicle trips in the project area. It is projected that trips generated from the proposed high density residential development would impact State Route (SR) 168. Therefore, this project should be responsible for a fair-share contribution to Fresno County's Regional Traffic Mitigation Fee (RTMF) program.

It is anticipated that this project will impact traffic operations between the SR168 off-ramps at Temperance—particularly the eastbound off-ramp—and Herndon Avenue. A traffic impact study conducted for the expansion of Clovis Community Medical Center and the Herndon Avenue widening project (SCH #2016101005) identified two deficiencies which the proposed project will also influence. First, an additional right turn lane will need to be constructed at the SR168 off-ramp to N Temperance Avenue. Second, building another southbound through lane on N Temperance Avenue between the SR168 off-ramp and Fir Avenue was advised. Caltrans recommends the proposed project contribute a proportional fair share towards the cost of constructing those operational improvements.

I can be reached at (559) 488-7307, or [Jamaica.Gentry@dot.ca.gov](mailto:Jamaica.Gentry@dot.ca.gov), for questions about these comments.

Sincerely,



JAMAICA GENTRY  
Transportation Planner  
Transportation Planning-North



October 23, 2018

George Gonzalez  
Planning and Development Services Dept.  
1033 Fifth St.  
Clovis, CA 93612

SUBJECT: R2018-11  
Southeast corner of Herndon and McKelvey Avenues  
APN 555-020-4101

Dear Mr. Gonzalez:

The purpose of this letter is to provide school district information relative to the above-referenced development and to comply with Business and Professions Code section 11010, subdivision (b)(11)(A) regarding the provision of school-related information to the developer/owner and the State Department of Real Estate.

In regards to this project with R2018-11 the district has concern regarding the re-designation of the land located on the southeast corner of Herndon and McKelvey Avenues. Currently this project site has a designation of R-A (0.6-2.0 DU/Ac) and the General Plan calls for a Mixed Use Business Campus, the district does not feel confident in the ability to accommodate students associated with a re-designation to R-3 (Multifamily High Density 15.1 to 25.0 DU/AC). The district would like to bring this concern to the attention of the planning department and owner/sub divider.

1. Elementary School Information:

- (a) The subject land is presently within the attendance area of the elementary school (grades K-6) listed below:

School Name: *Mickey Cox Elementary*  
Address: *2191 Sierra Ave Clovis CA 93611-0659*  
Telephone: *(559) 327-6400*  
Capacity: *750*  
Enrollment: *637 (CBEDS enrollment 2018-19 school year)*

- (b) Because of projected growth in the District and the District's plans for construction of new school facilities, it is possible that (1) adjustment of school attendance areas could occur in the future such that students residing in the project area may be required to attend an elementary school other than the school listed above, and (2) students residing in the project area may attend more than one elementary school within the District during their elementary school years.

**Governing Board**

Sandra A. Budd  
Christopher Casado  
Steven G. Fogg, M.D.  
Brian D. Heryford  
Ginny L. Hovsepian  
Elizabeth J. Sandoval  
Jim Van Volkinburg, D.D.S.

**Administration**

Elmear O'Farrell, Ed.D.  
*Superintendent*  
Don Ulrich, Ed.D.  
*Deputy Superintendent*  
Norm Anderson  
*Associate Superintendent*  
Barry S. Jager, Jr.  
*Associate Superintendent*  
Michael Johnston  
*Associate Superintendent*



George Gonzalez  
October 23, 2018  
Page 2

2. Intermediate School Information:

School Name: *Clark Intermediate*  
Address: *902 5th St Clovis CA 93612-1399*  
Telephone: (559) 327-1500  
Capacity: *1500*  
Enrollment: *1552* (CBEDS enrollment 2018-19 school year)

3. High School Information:

School Name: *Clovis High School*  
Address: *1055 Fowler Ave Clovis CA 93611-2099*  
Telephone: (559) 327-1000  
Capacity: *3000*  
Enrollment: *2738* (CBEDS enrollment 2018-19 school year)

4. Bus transportation is currently provided for grades K-6 students residing further than one mile from school and for grades 7-12 students residing further than two and one-half miles from school. Transportation will be available for students attending the above-identified elementary, intermediate and high schools in accordance with District standards in effect at the time of enrollment.
5. The District currently levies a school facilities fee of \$4.87 per square foot (as of July 1, 2018) for residential development. The fee is adjusted periodically in accordance with law. New development on the subject property will be subject to the fee in place at the time fee certificates are obtained.

The District hereby requests that the information in this letter be provided by the owner/subdivider to all prospective purchasers of property within the project.

Thank you for the opportunity to comment on the project. Please contact me if you have any questions regarding this letter.

Sincerely,



Michael Johnston  
Associate Superintendent  
Administrative Services



# County of Fresno

## DEPARTMENT OF PUBLIC HEALTH

David Pomaville, Director  
Dr. Sara Goldgraben, Health Officer

August 28, 2018

LU0019619  
2604

Courtney Thongsavath, Planning Volunteer  
City of Clovis  
Planning and Development Services Department  
1033 Fifth Street  
Clovis, CA 93612

Dear Ms. Thongsavath:

PROJECT NUMBER: **DRC2018-51**

**DRC2018-51**; Proposal for a 158-unit multi-family residential development consisting of two and three story buildings with enclosed garages with swimming pool complex.

**APN: 555-020-41**

**ADDRESS: SWC Herndon & McKelvey Avenues**

Recommended Conditions of Approval:

- Construction permits for development should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.
- Construction permits for the development should be subject to assurance that the City of Clovis community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Water Resources Control Board, Division of Drinking Water-Southern Branch. For more information call (559) 447-3300.
- The proposed construction project and proximity to an existing thoroughfare has the potential to expose nearby residents and tenants to elevated noise levels. Consideration should be given to your City's municipal code.
- Prior to the issuance of building permits, the applicant shall submit complete pool facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Contact the Recreational Health Program at (559) 600-3357 for more information.
- Prior to operation, the applicant shall apply for and obtain a permit to operate a public swimming pool from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable. Contact the Recreational Health Program at (559) 600-3357 for more information.

***Promotion, preservation and protection of the community's health***

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

(559) 600-3271 • FAX (559) 600-7629

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- If the tenant proposes to use and/or store hazardous materials and/or hazardous wastes, they 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. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the California Health and Safety Code (HSC), Division 20, Chapter 6.95, Section 25507 (<http://cers.calepa.ca.gov/>). Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
- 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.

Prior to destruction of agricultural wells, a sample of the upper most fluid in the water well column should be sampled for lubricating oil. The presence of oil staining around the water well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements.

- 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 Certified Unified Program Agency at (559) 600-3271 for more information.

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REVIEWED BY:

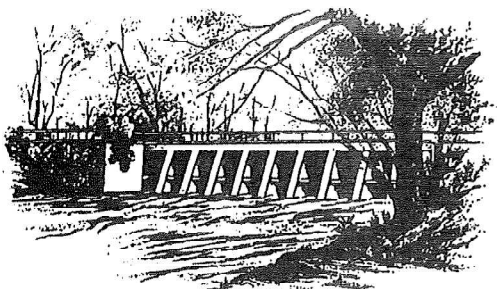
Kevin Tsuda, R.E.H.S.  
Environmental Health Specialist II

(559) 600-33271

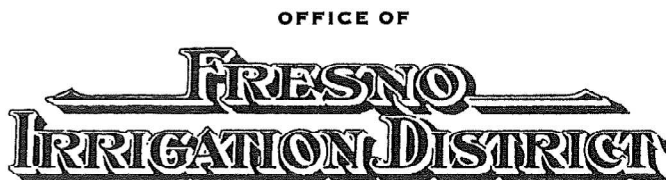
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KT

cc: Baruti, Kalugin & Sauls- Environmental Health Division (CT.57.02)  
Kent Rodrigues- Applicant ([kentparch1@comcast.net](mailto:kentparch1@comcast.net))



YOUR MOST VALUABLE RESOURCE - WATER



OFFICE OF  
TELEPHONE (559) 233-7161  
FAX (559) 233-8227  
2907 S. MAPLE AVENUE  
FRESNO, CALIFORNIA 93725-2208

October 26, 2018

Mr. George Gonzalez  
Planning Division  
City of Clovis  
1033 Fifth Street  
Clovis, CA 93612

RE: Site Plan Review SPR2018-25, CUP2018-13, and R2018-11  
S/W Herndon and Temperance avenues

Dear Mr. Gonzalez:

The Fresno Irrigation District (FID) has reviewed the Site Plan Review SPR2018-25 for which the applicant proposes the construction of a 158 unit multifamily development, APNs: 555-020-41, 37. This application is being processed concurrently with Conditional Use Permit CUP2018-13 and Rezone R2018-11. FID has the following comments:

1. FID does not own, operate or maintain any facilities located on the subject property as shown on the attached FID exhibit map.
2. For informational purposes, FID's active Clovis No. 115 runs westerly along the north side of Herndon Avenue approximately 100 feet north of the subject property, crossing Temperance Avenue approximately 1,350 feet east of the subject property and Herndon Avenue approximately 500 feet west of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Temperance Avenue, Herndon Avenue, or in the vicinity of this facility, FID requires it review and approve all plans.
3. For informational purposes, a private facility know as the Clovis No. 115 crosses Herndon Avenue, traversing the east side and southern portions of the subject property, as shown on the attached FID exhibit map. FID's records indicate this private facility is active and should be treated as such. FID can supply the City of Clovis with a list of known users upon request.

4. FID is concerned that the proposed development may negatively impact local groundwater supplies. The area is currently mostly open land or rural residential with little to no water demand. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. FID suggests the City of Clovis require the proposed development balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft.
5. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Clovis are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is completely reliant on groundwater pumping and SGMA will impact all users of groundwater and those who rely on it. The City of Clovis should consider the impacts of the development on the City's ability to comply with requirements of SGMA.
6. It should be noted that without the use of surface water, continued dependence on solely a groundwater supply will do nothing to reverse or correct the existing overdraft of the groundwater supply beneath the City of Clovis and FID service area. As this project will "harden" or make firmer the need for water, the long-term correction of the groundwater overdraft should be considered as a requirement of the project.

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or [clundeen@fresnoirrigation.com](mailto:clundeen@fresnoirrigation.com).

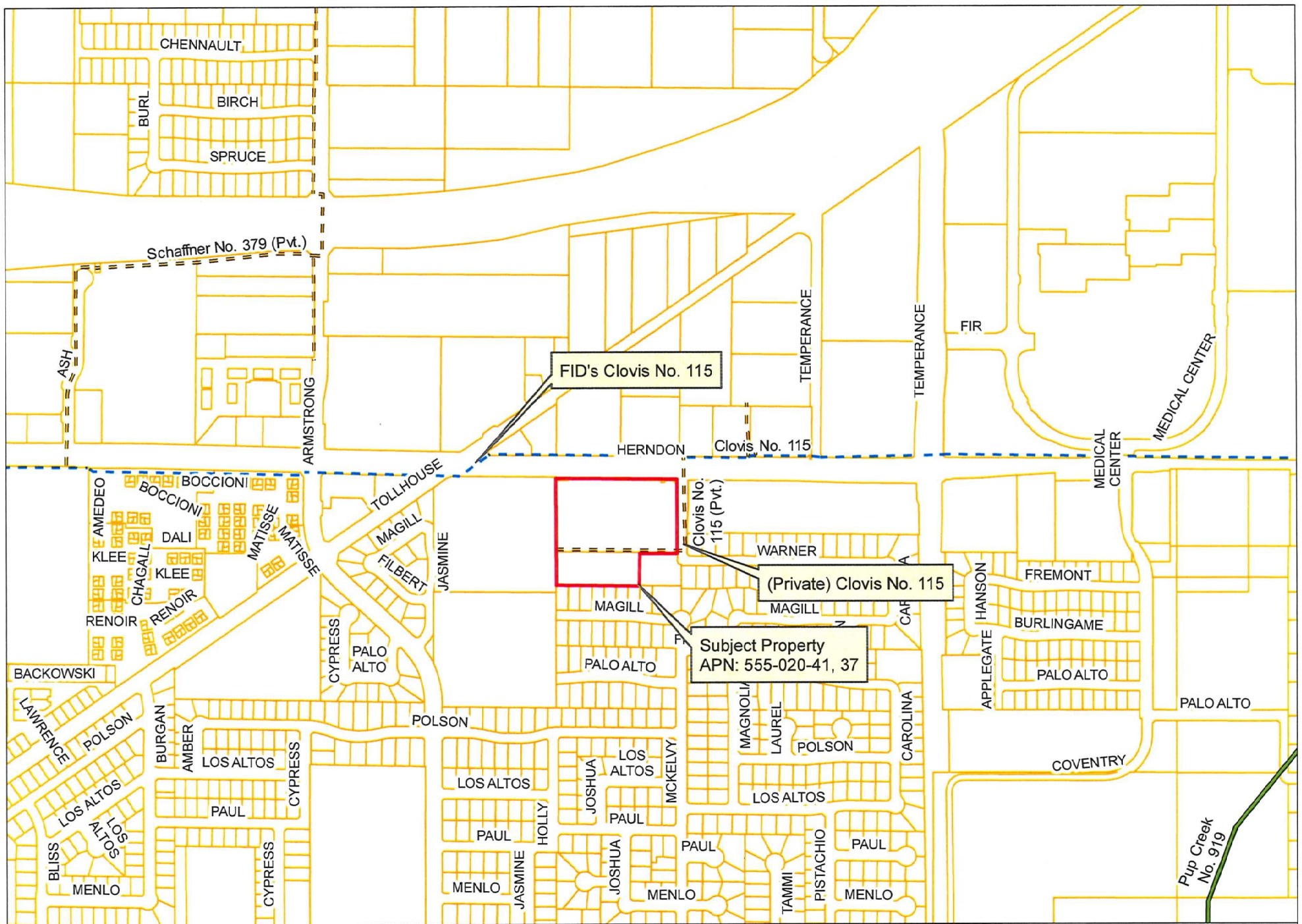
Sincerely,



Laurence Kimura, P.E.  
Chief Engineer

Attachment

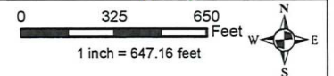




This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 233-7161 for further information on FID facilities.

#### Legend

- |                 |                    |                   |                |                       |
|-----------------|--------------------|-------------------|----------------|-----------------------|
| FID Canal       | FID Pipeline       | Stream Group      | FID Boundary   | Parcel                |
| Private Canal   | Private Pipeline   | Other-Creek/River | Railroad       | FMFCD Acquired Basins |
| Abandoned Canal | Abandoned Pipeline | Other-Pipeline    | Streets & Hwys | FMFCD Proposed Basins |



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## Fresno Metropolitan Flood Control District

*Capturing Stormwater since 1956*

File 210.432 "2018-025"  
210.433 "2018-013"  
210.434

November 13, 2018

Mr. George Gonzalez, Associate Planner  
City of Clovis, Planning and Development Services Dept.  
1033 Fifth Street  
Clovis CA 93612

Dear Mr. Gonzalez,

**Rezone Application No. R2018-11**  
**Drainage Areas "5F" and "7D"**

The proposed rezone lies within the District's Drainage Areas "5F" and "7D" as shown on the attached Exhibit No. 1. The District has existing Master Plan facilities located within Drainage Area "7D" to accommodate the "7D" portion of the rezone. The facilities were constructed to serve light industrial development consistent with the City's General Plan. Therefore, as a condition of approval, development within the "7D" portion of the rezone will be required to pay drainage fees at a light industrial rate, even if developing at a lower density, as the existing system is to be paid for through the collection of drainage fees calculated at a light industrial rate.

The Drainage Area "5F" system is designed to serve medium and medium high density residential uses and the existing Master Plan storm drainage facilities do not have the capacity to accommodate the increased runoff generated by the proposed high density residential type land use. The District requests that as a condition of the rezone, the developer be required to mitigate the impacts of the increased runoff located within Drainage Area "5F" from the proposed high density residential type land use to a rate that would be expected if developed to medium and medium high density residential land uses. 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. Implementation of the mitigation measures may be deferred until the time of development.

**Mr. George Gonzalez**  
**Rezone Application No. R2018-11**  
**Drainage Areas "5F" and "7D"**  
**November 13, 2018**  
**Page 2**

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 the high density residential type use development to a two-year medium and medium high density residential land use discharge. The developer will be required to submit improvement plans to the District for review and approval showing the proposed method of mitigation prior to implementation.

Please contact us if you need further information at (559) 456-3292.

Very truly yours,



Robert Villalobos  
Engineering Technician III

RV/lrl



NOTE: THIS MAP IS SCHEMATIC.  
DISTANCES, AMOUNT OF CREDITABLE  
FACILITIES, AND LOCATION OF INLET  
BOUNDARIES ARE APPROXIMATE.



## LEGEND

- Existing Master Plan Facilities
- Existing Temporary Inlet
- Existing Private Facilities
- Drainage Area Boundary



1" = 200'

## CL REZONE 2018-11 DRAINAGE AREAS "5F" & "7D"



### EXHIBIT NO. 1

## FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Prepared by: keithr

Date: 11/8/2018

Path: K:\Autocad\DWGS\0EXHIBIT\REZONE\CL 2018-11.mxd

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

File No. 210.433

Page 1 of 4

**PUBLIC AGENCY**

GEORGE GONZALEZ  
PLANNING AND DEVELOPMENT SERVICES  
CITY OF CLOVIS  
1033 FIFTH STREET  
CLOVIS, CA 936112

**DEVELOPER**

ARMEN BASMAVIAN, MARK O'POLO  
ENTERPRISES, INC.  
7471 N. REMINGTON, #100  
FRESNO, CA 93711

PROJECT NO: **2018-013**ADDRESS: **SWC HERNDON & MCKELVY**APN: **550-020-69, 70**

SENT: 11/13/18

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
5F	\$33,914.00	NOR Review *	\$316.00	To be paid prior to release of District comments to Public Agency and Developer.
7D	\$39,750.00	Grading Plan Review *	\$1,607.00	Amount to be submitted with first grading plan submittal.
<b>Total Drainage Fee: \$73,664.00</b>		<b>Total Service Charge: \$1,923.00</b>		

\* The Development Review Service Charge shown above is associated with CL SPR 2018-025 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 2/28/19 based on the site plan submitted to the District on 10/17/18 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.) Master Plan storm drainage facilities may be constructed, or required to be constructed in lieu of paying fees.
- d.) The actual cost incurred in constructing Master Plan drainage system facilities is credited against the drainage fee obligation.
- e.) When the actual costs incurred in constructing Master Plan 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. 2018-013



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 2 of 4

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

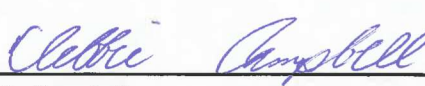

1. ☐ a. Drainage from the site shall  
☒ b. Grading and drainage patterns shall be as identified on Exhibit No. 1  
☐ c. The grading and drainage patterns shown on the site plan conform to the adopted Storm Drainage and Flood Control Master Plan.
2. The proposed development shall construct and/or dedicate 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.

CL CUP No. 2018-013

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

Page 3 of 4

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  
Robert Villalobos  
Project Engineer**CL  
CUP No. 2018-013**

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 4 of 4

CC:

KENT P. RODRIGUES, ARCH

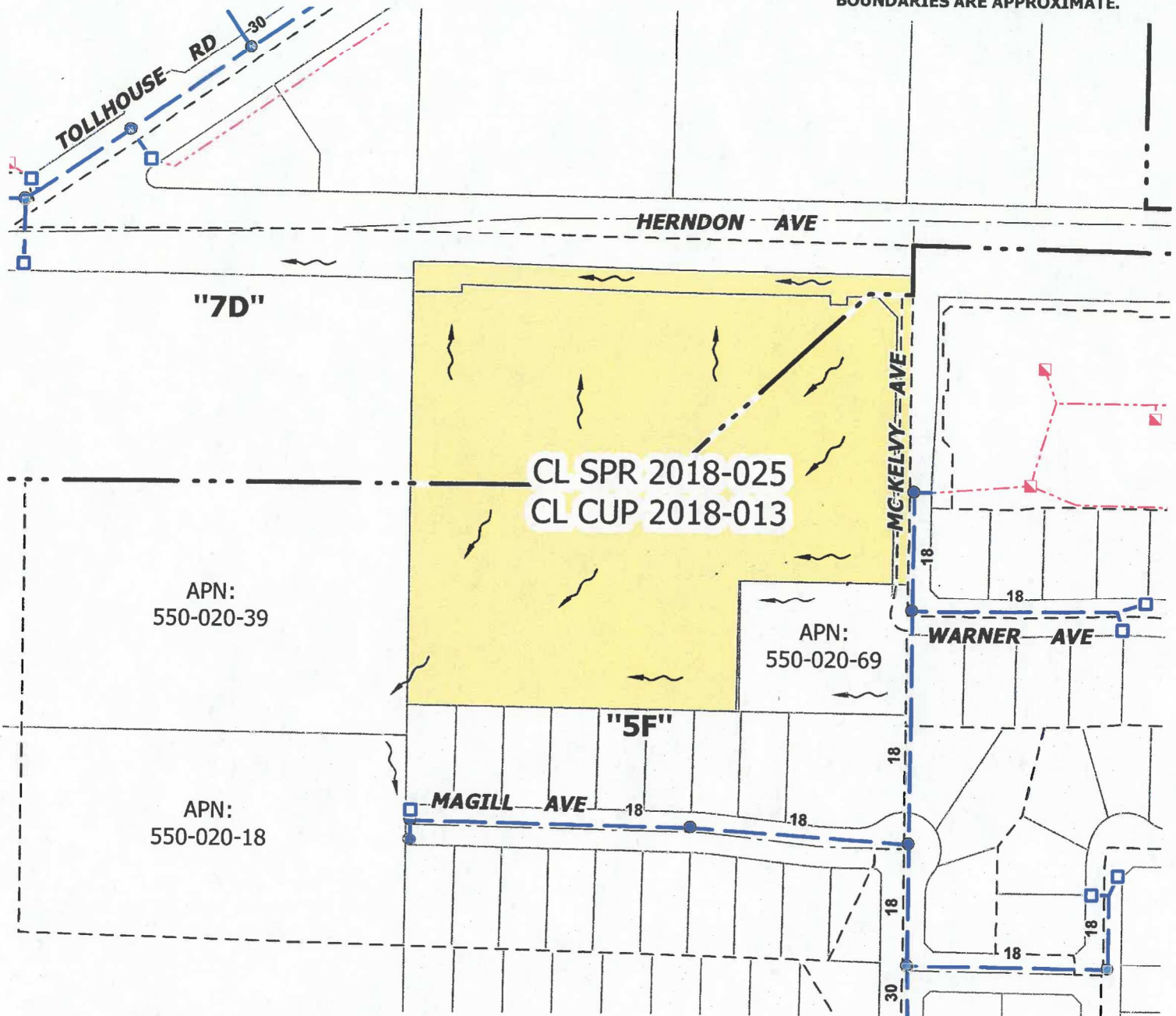
2090 W. MAGILL AVE.

FRESNO, CA 93711

**CL CUP No. 2018-013**



NOTE: THIS MAP IS SCHEMATIC.  
DISTANCES, AMOUNT OF CREDITABLE  
FACILITIES, AND LOCATION OF INLET  
BOUNDARIES ARE APPROXIMATE.



## LEGEND

- Existing Master Plan Facilities
- Existing Temporary Inlet
- Existing Private Facilities
- Inlet Boundary
- Drainage Area Boundary
- Direction Of Drainage



1" = 200'

**CL SPR 2018-025**  
**CL CUP 2018-013**

**DRAINAGE AREAS "5F" & "7D"**

**EXHIBIT NO. 1**

**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**



Prepared by: Keith  
Date: 11/2/2018

Path: K:\Autocad\DWGS\0EXHIBIT\CLSPR\2018-025.mxd

**OTHER REQUIREMENTS**  
**EXHIBIT NO. 2**

Clovis CUP 2018-013 is located in two drainage areas, Drainage Area “5F” and Drainage Area “7D”, as shown on Exhibit No. 1. Per the Master Plan, 5.75 acres shall drain to Magill Avenue (Drainage Area “5F”) and 3.27 acres shall drain to Herndon Avenue (Drainage Area “7D”).

The District’s existing Master Plan drainage system located in Drainage Area “5F” is designed to serve medium and medium-high density residential uses and the existing Master Plan storm drainage facilities do not have capacity to serve the proposed high density residential land use. The developer shall be required to mitigate the impacts of the increased runoff from the proposed high density residential land use to a rate that would be expected if developed to medium and medium-high 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 a high density residential development, to a two-year discharge, which would be produced by the property if developed medium and medium-high density residential. Implementation of the mitigation measures may be deferred until the time of development.

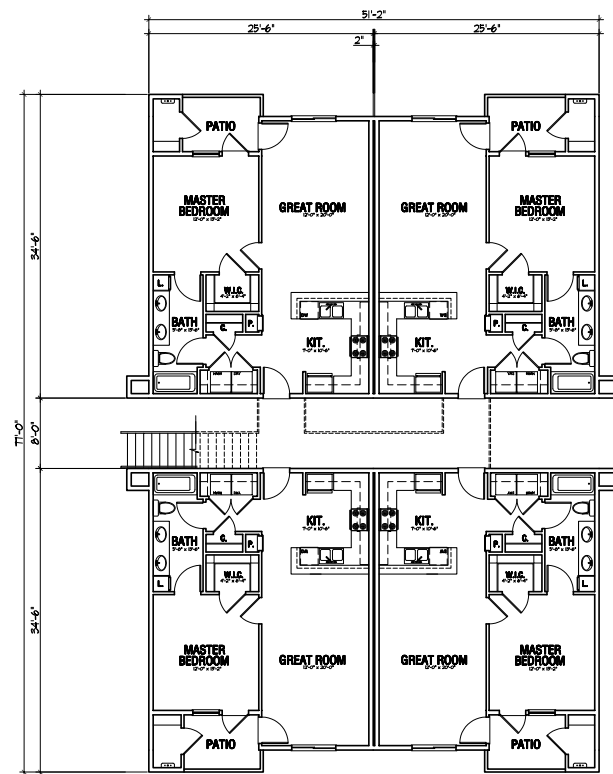
The District’s existing Master Plan drainage system can accommodate the proposed high density residential land use associated with that portion of Clovis CUP 2018-013 located within Drainage Area “7D”.

Clovis CUP 2018-013 shall grant a drainage covenant to APN 550-020-69 and grade the site to allow runoff from APN 550-020-69 to drain across Clovis CUP 2018-013 in order to reach the Master Plan facilities located in Magill Avenue as shown on Exhibit No. 1.

Permanent drainage service is available to that portion of the site draining to Herndon Avenue (Drainage Area “7D”) as shown on Exhibit No. 1 provided the developer can verify to the satisfaction of the City of Clovis that runoff can be safely conveyed to the Master Plan inlet. Permanent drainage service is available to the remaining portion of the site (Drainage Area “5F”) however, due to the lack of a street between Clovis CUP 2018-013 and Magill Avenue, the developer will need to provide a drainage channel and obtain drainage covenants from APN’s 550-020-39 and 550-020-18 to reach the Master Plan inlet in Magill Avenue. If the drainage channel is not constructed, the District recommends temporary facilities until permanent service is available.

The District is aware of the developer’s proposal to direct drainage from the site (not in accordance to the Master Plan) to the existing eighteen-inch (18”) storm drain line located in Warner Avenue to obtain permanent drainage service. The existing storm drain line was not sized to accommodate runoff from Clovis CUP 2018-013. The developer will need to submit a drainage report and calculations confirming there is adequate capacity in the existing storm drainage pipeline to handle the additional runoff. The District requests that the grading engineer contact the District as early as possible to review the proposed site grading.

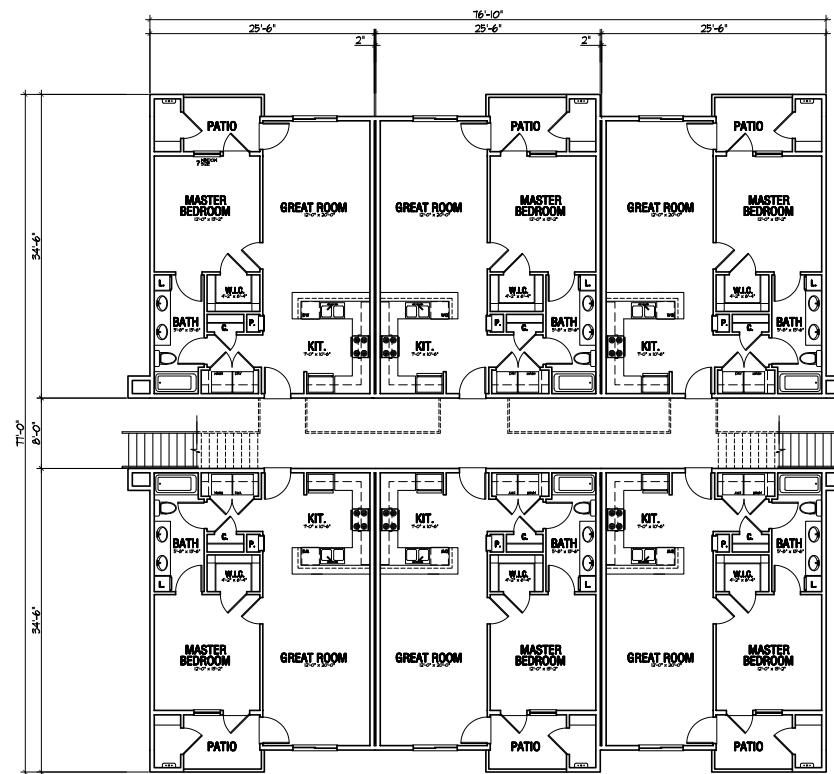
Development No. Clovis CUP 2018-013



**BUILDING TYPE 1:**  
THREE STORIES WITH  
12 - ONE BEDROOM / ONE BATH - UNIT A

UNIT AREA: 766 SQ. FT.  
LIVING AREA: 54 SQ. FT.  
PATIO: 26 SQ. FT.  
STORAGE: 26 SQ. FT.  
TOTAL UNIT AREA: 846 SQ. FT.

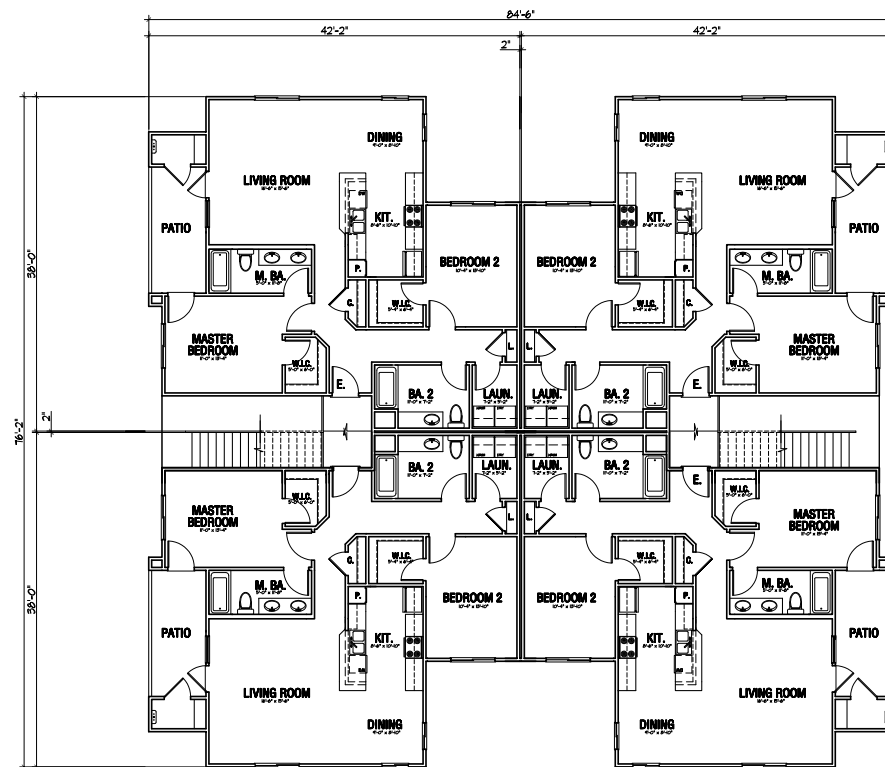
BUILDING AREA: 9,804 SQ. FT. PER FLOOR  
5,804 SQ. FT. PER FLOOR x 3 FLOORS = 17,412 SQ. FT.



**BUILDING TYPE 1A:**  
THREE STORIES WITH  
18 - ONE BEDROOM / ONE BATH - UNIT A

UNIT AREA: 766 SQ. FT.  
LIVING AREA: 54 SQ. FT.  
PATIO: 26 SQ. FT.  
STORAGE: 26 SQ. FT.  
TOTAL UNIT AREA: 846 SQ. FT.

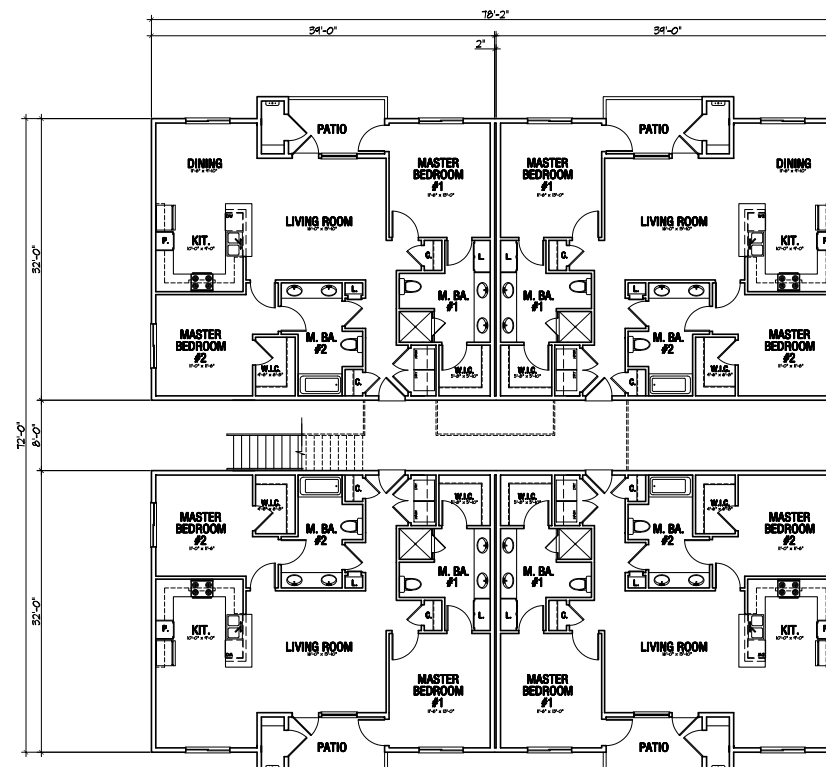
BUILDING AREA: 5,714 SQ. FT. PER FLOOR  
5,714 SQ. FT. PER FLOOR x 3 FLOORS = 17,142 SQ. FT.



**BUILDING TYPE 2:**  
TWO STORIES WITH  
8 - TWO BEDROOM / TWO BATH - UNIT B

UNIT AREA: 1,660 SQ. FT.  
LIVING AREA: 49 SQ. FT.  
PATIO: 26 SQ. FT.  
STORAGE: 26 SQ. FT.  
TOTAL UNIT AREA: 1,741 SQ. FT.

BUILDING AREA: 5,726 SQ. FT. PER FLOOR  
5,726 SQ. FT. PER FLOOR x 2 FLOORS = 11,452 SQ. FT.



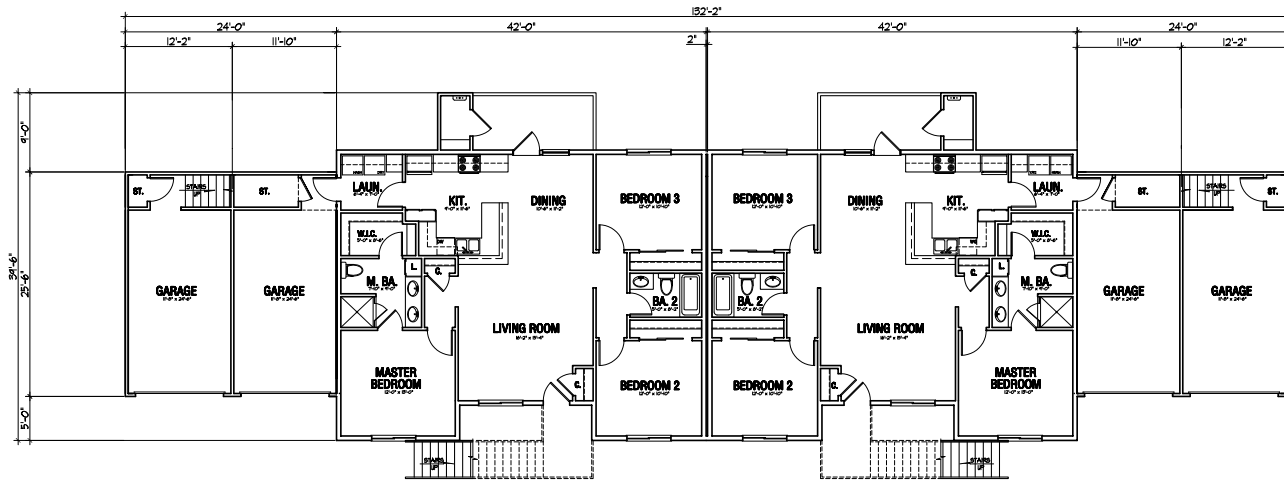
**BUILDING TYPE 3:**  
THREE STORIES WITH  
12 - TWO BEDROOM / TWO BATH - UNIT C

UNIT AREA: 1,660 SQ. FT.  
LIVING AREA: 49 SQ. FT.  
PATIO: 26 SQ. FT.  
STORAGE: 26 SQ. FT.  
TOTAL U

**R2018-11 & CUP2018-13, ATTACHMENT 6, Building Floor Plans**

SCALE: 1/8" = 1'-0"

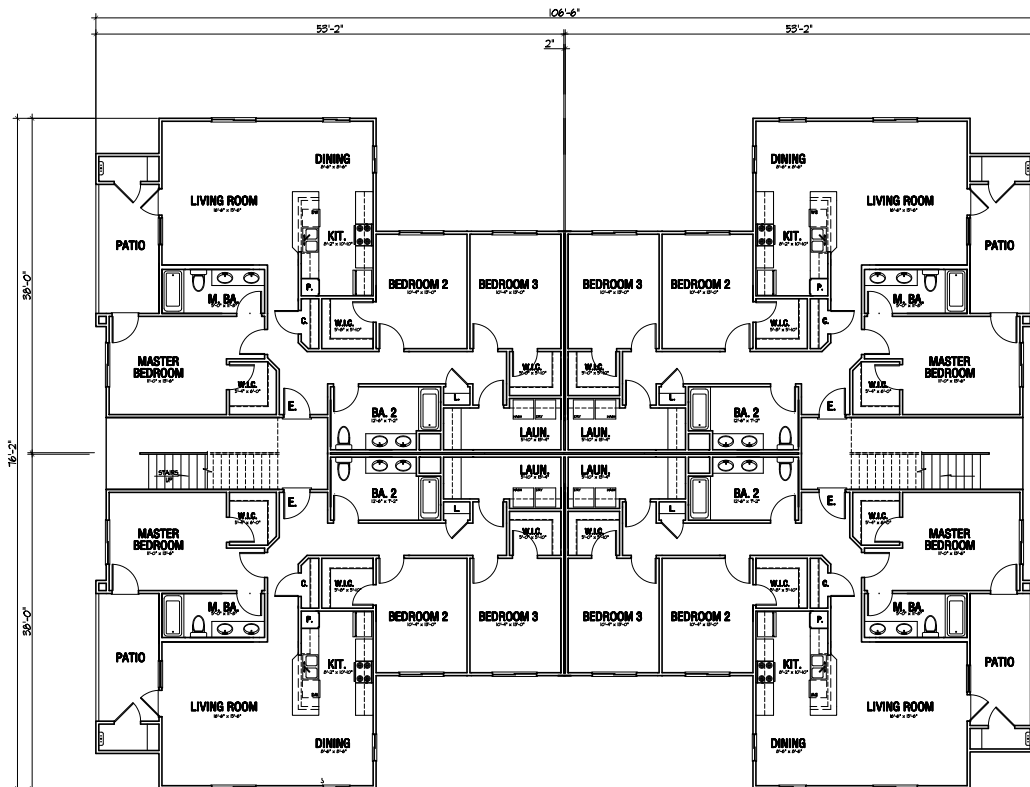




### BUILDING TYPE 4:

#### TWO STORIES WITH 4 - THREE BEDROOM / TWO BATH - UNIT D WITH ATTACHED GARAGES

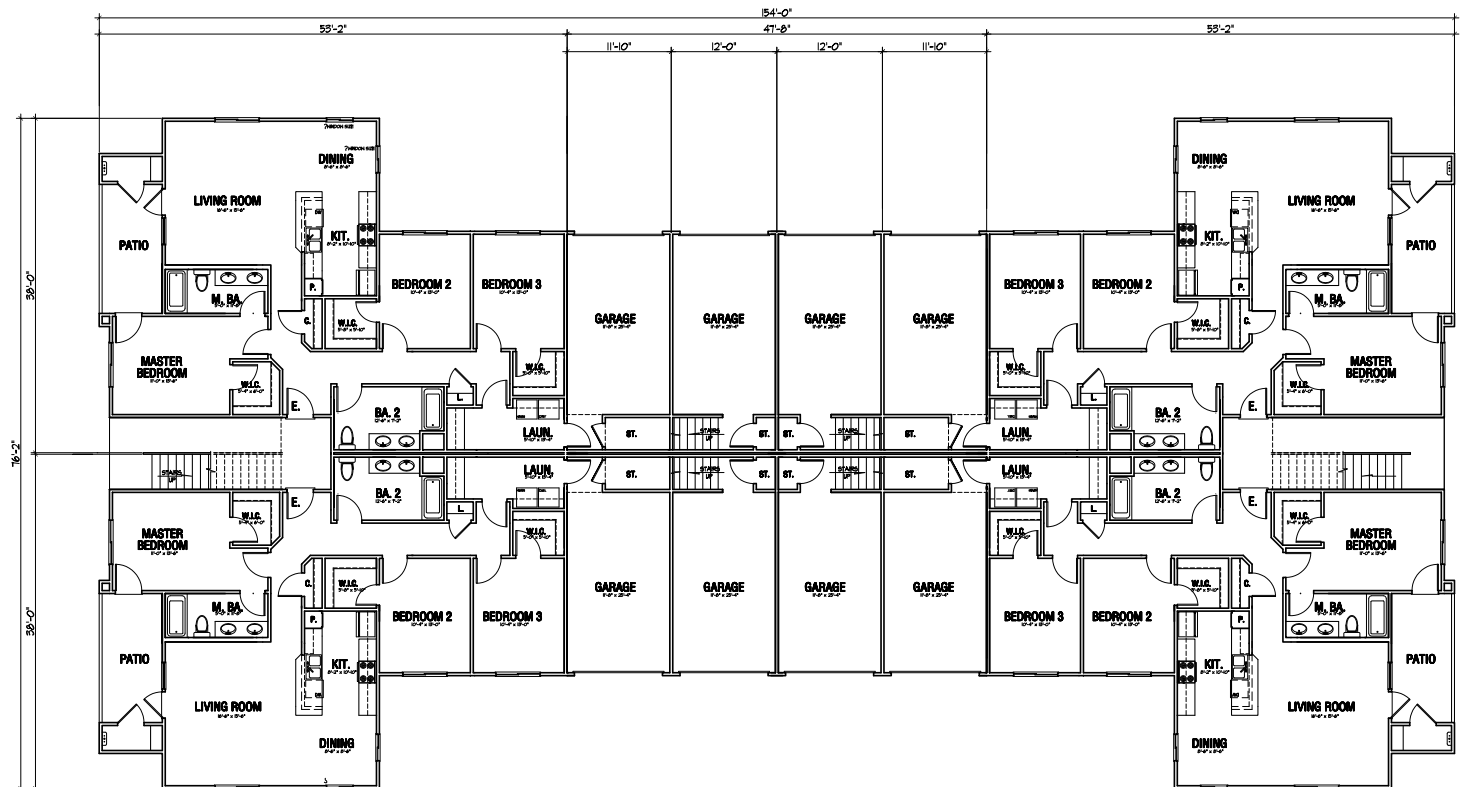
UNIT AREA:	1,326 SQ. FT.	BUILDING AREA:	4,116 SQ. FT. FIRST FLOOR (UNITS AND GARAGES)
LIVING AREA:	41 SQ. FT.	BUILDING AREA:	2,842 SQ. FT. SECOND FLOOR (UNITS ONLY)
PATIO:	26 SQ. FT.		
STORAGE:	26 SQ. FT.		1,008 SQ. FT. TOTAL BUILDING AREA
TOTAL UNIT AREA:	1,443 SQ. FT.		
GARAGE:	506 FT.		



### BUILDING TYPE 5:

#### TWO STORIES WITH 8 - THREE BEDROOM / TWO BATH - UNIT E

UNIT AREA:	1,422 SQ. FT.	BUILDING AREA:	6,824 SQ. FT. PER FLOOR
LIVING AREA:	103 SQ. FT.	BUILDING AREA:	6,824 SQ. FT. PER FLOOR x 2 FLOORS = 13,648 SQ. FT.
PATIO:	26 SQ. FT.		
STORAGE:	26 SQ. FT.		
TOTAL UNIT AREA:	1,551 SQ. FT.		



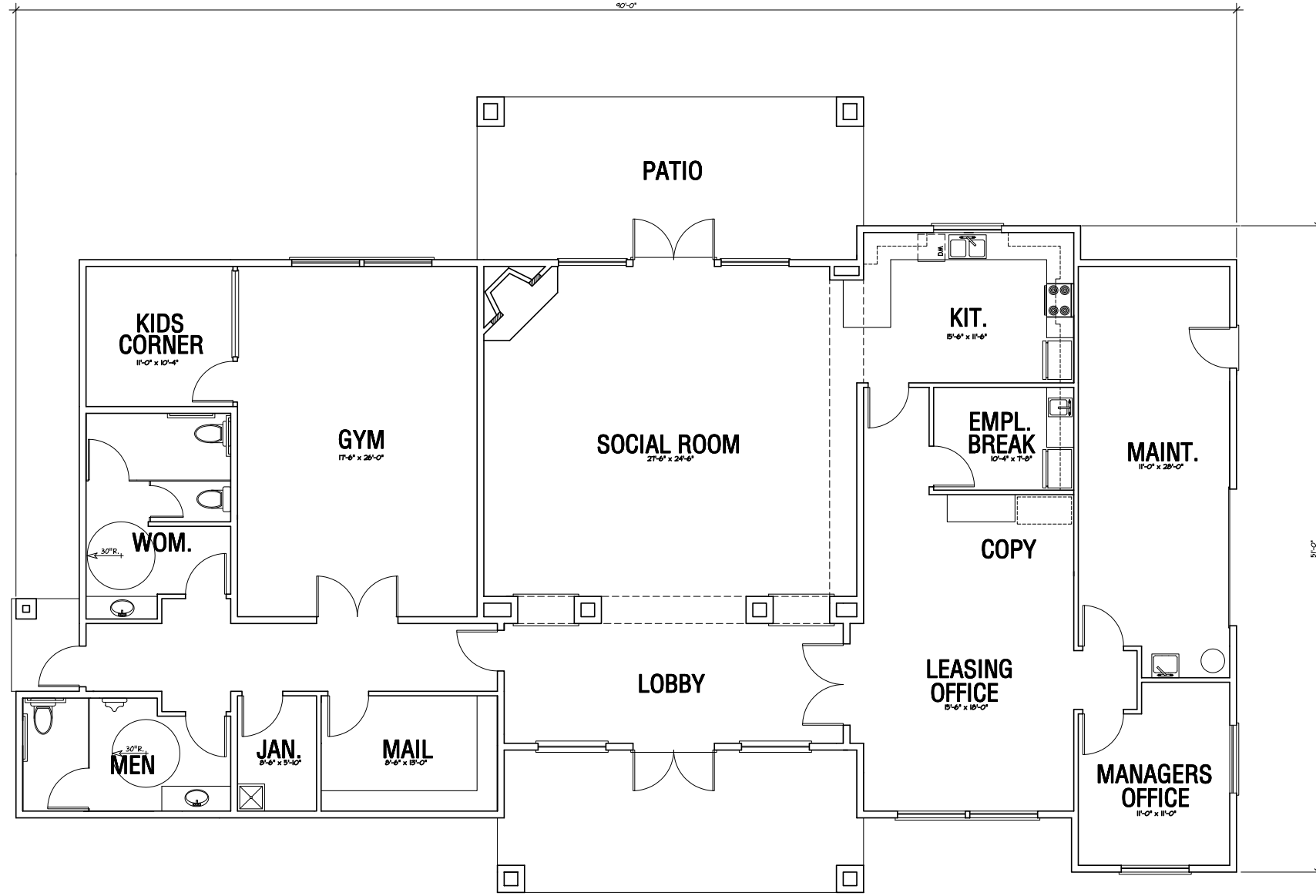
### BUILDING TYPE 5A:

#### TWO STORIES WITH 8 - THREE BEDROOM / TWO BATH - UNIT E WITH ATTACHED GARAGES

UNIT AREA:	1,422 SQ. FT.	BUILDING AREA:	4,250 SQ. FT. FIRST FLOOR (UNITS AND GARAGES)
LIVING AREA:	103 SQ. FT.	BUILDING AREA:	6,824 SQ. FT. SECOND FLOOR (UNITS ONLY)
PATIO:	26 SQ. FT.		16,014 SQ. FT. TOTAL BUILDING AREA
STORAGE:	26 SQ. FT.		
TOTAL UNIT AREA:	1,551 SQ. FT.		
GARAGE:	502 SQ. FT.		

# COMPOSITE PLANS

SCALE: 1/8" = 1'-0"



# FLOOR PLAN

3500 SQ. FT.



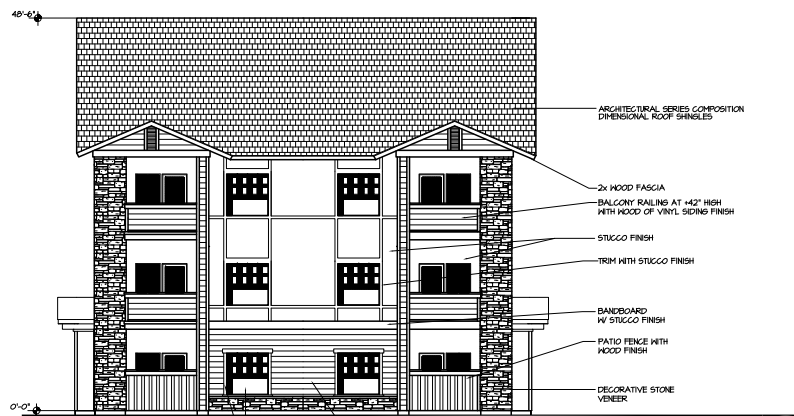
SHEET TITLE  
**RECREATION BUILDING FLOOR PLAN**

PROJECT TITLE:  
**MULTIFAMILY DEVELOPMENT  
 PROPOSED 158 UNIT MULTIFAMILY PROJECT**

SAI CORNER, HESBORN AND MCKELVEY  
 CLOYIS, CALIFORNIA

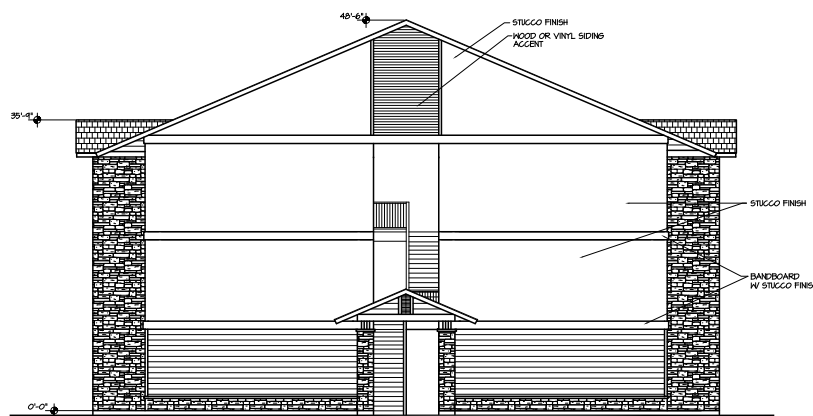
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JOB NO.:	AR-EN
DRAWN BY:	RODRIGUES
SHEET NO.:	
<b>A-2.2</b>	
OF	1 SHEETS
DATE:	8/11/18



FRONT / REAR

BUILDING TYPE 1

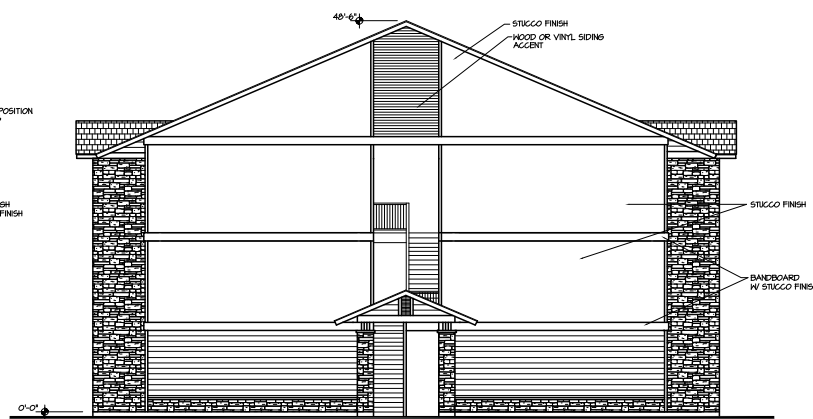


LEFT / RIGHT SIDE

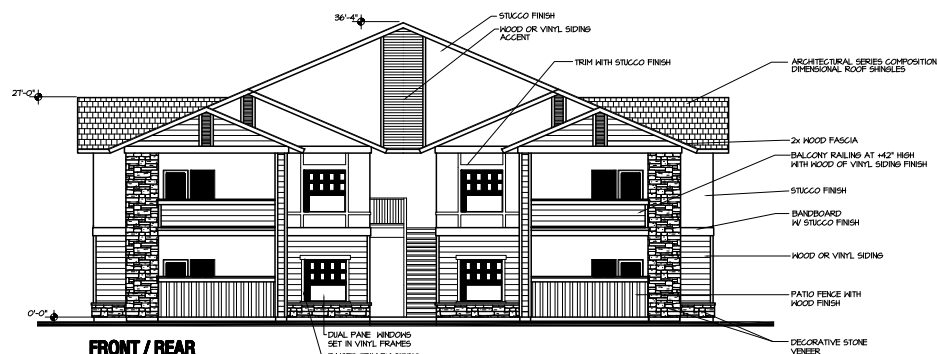


FRONT / REAR

BUILDING TYPE 1A

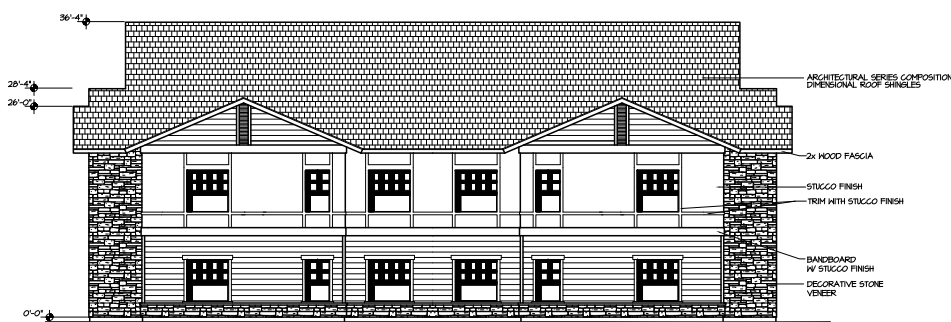


LEFT / RIGHT SIDE



FRONT / REAR

BUILDING TYPE 2



LEFT / RIGHT SIDE

R2018-11 & CUP2018-13, ATTACHMENT 9, Building Elevations

SHEET TITLE:  
ELEVATIONS

PROJECT TITLE:  
MULTIFAMILY DEVELOPMENT  
PROPOSED 188 UNIT MULTIFAMILY PROJECT  
341 CORNER LEBRON AND McKEVLEY  
CLAYTON, CALIFORNIA

JOB NO.: ARHEN  
DRAWN BY: RODRIGUES  
SHEET NO.:  
**A-4**  
OF SHEETS  
DATE: 8/12/18

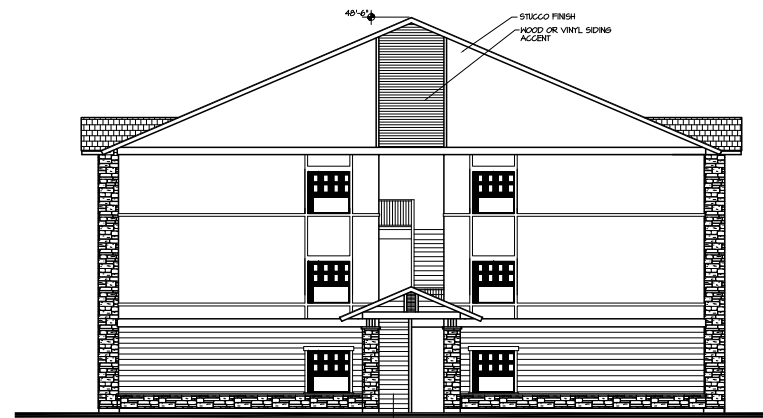
**KENT P. RODRIGUES** Architect  
2000 W. MAGILL, FRESNO, CA 93711 (559) 438-1700  
PLANNING • DESIGN • ARCHITECTURE





FRONT / REAR

### BUILDING TYPE 3

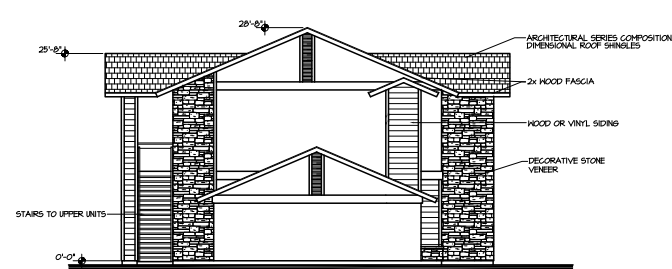


LEFT / RIGHT SIDE



FRONT

### BUILDING TYPE 4

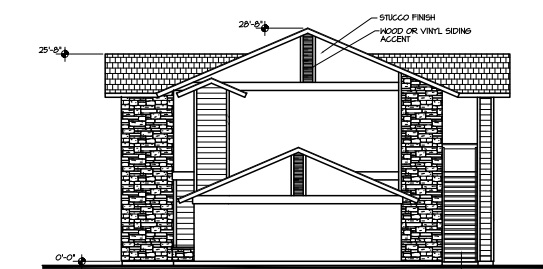


RIGHT SIDE

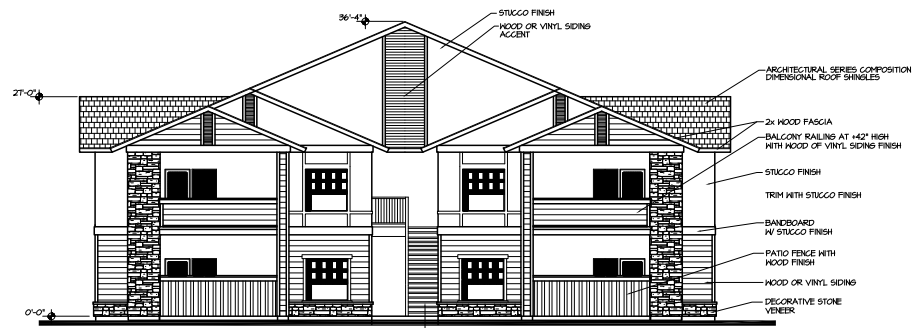


REAR

### BUILDING TYPE 4

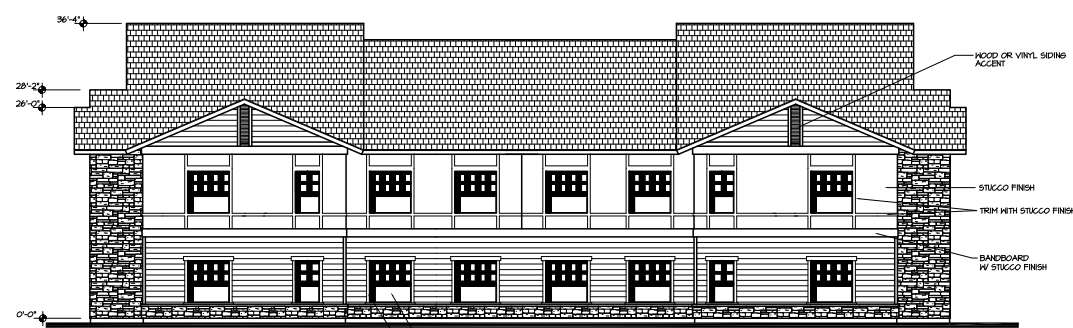


LEFT SIDE

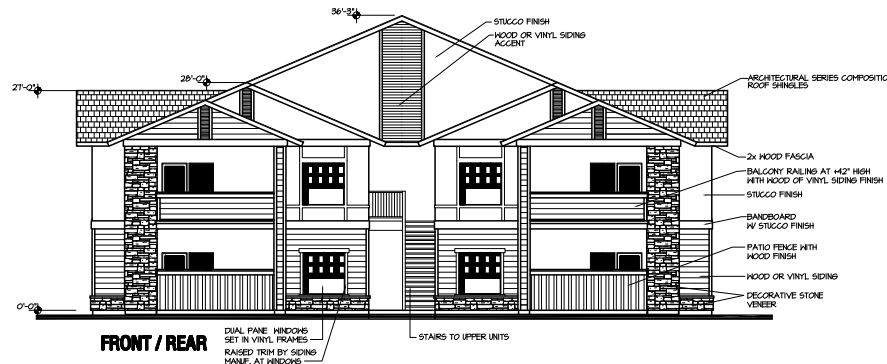


FRONT / REAR

### BUILDING TYPE 5

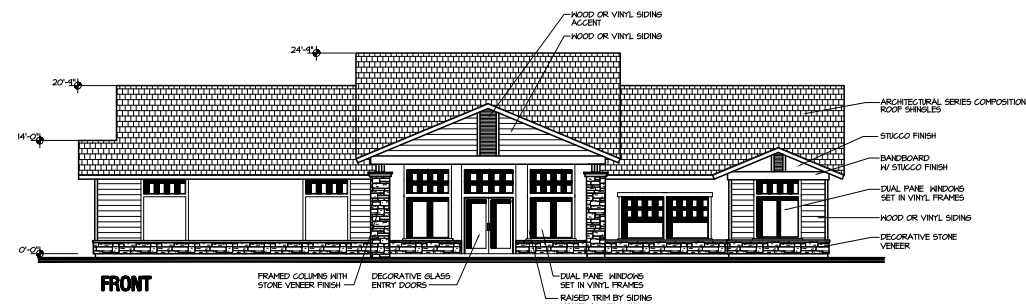


LEFT / RIGHT SIDE

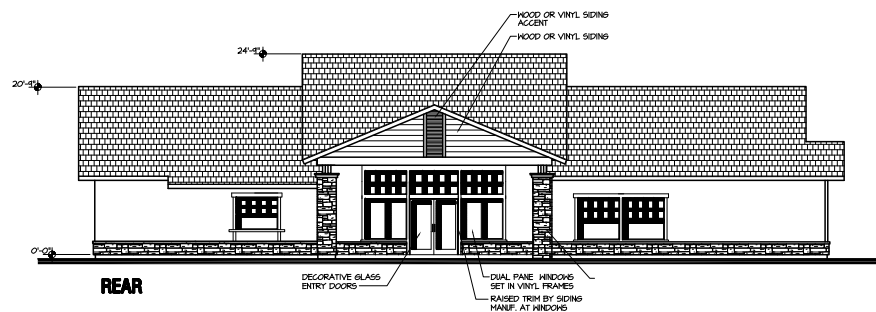


FRONT / REAR

## BUILDING TYPE 5A

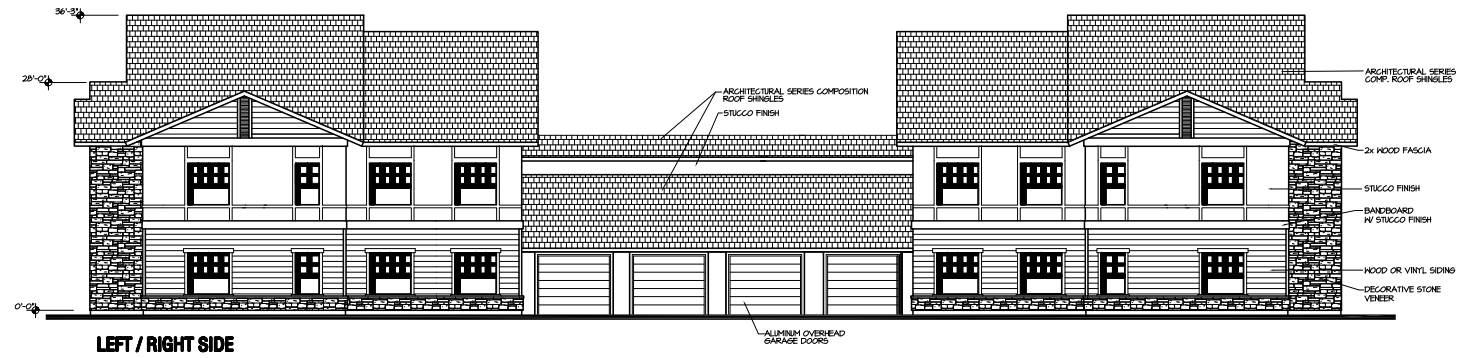


FRONT

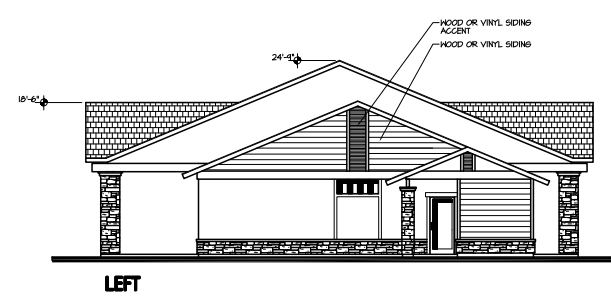


REAR

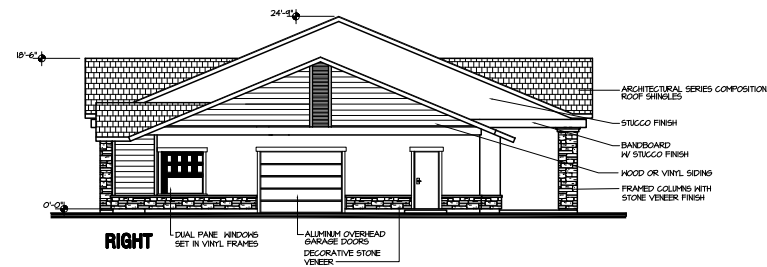
## RECREATION BUILDING



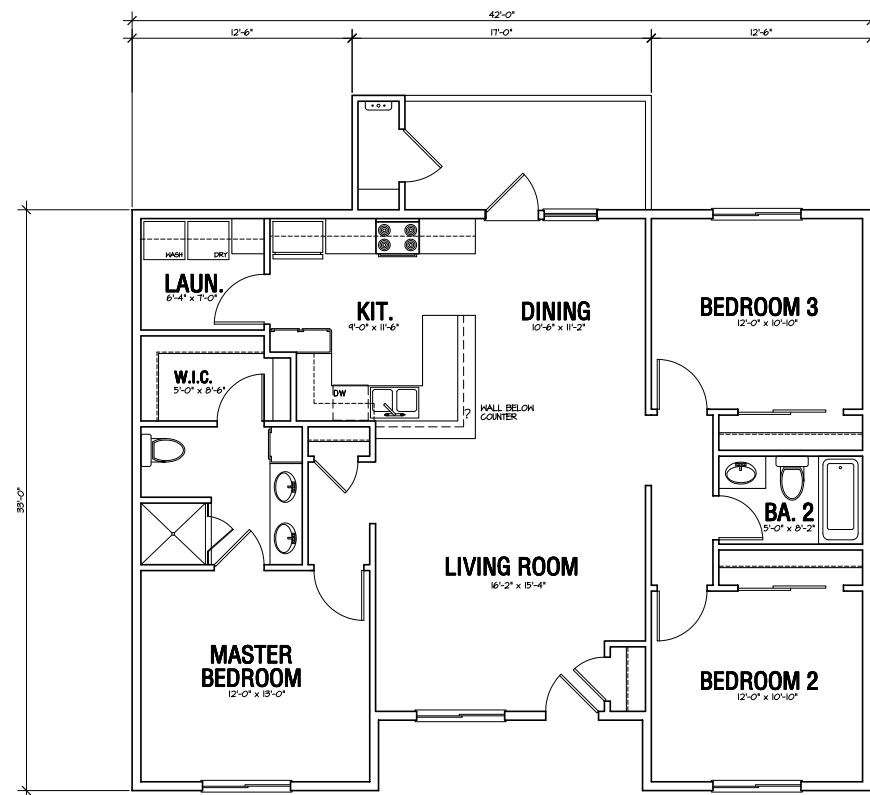
LEFT / RIGHT SIDE



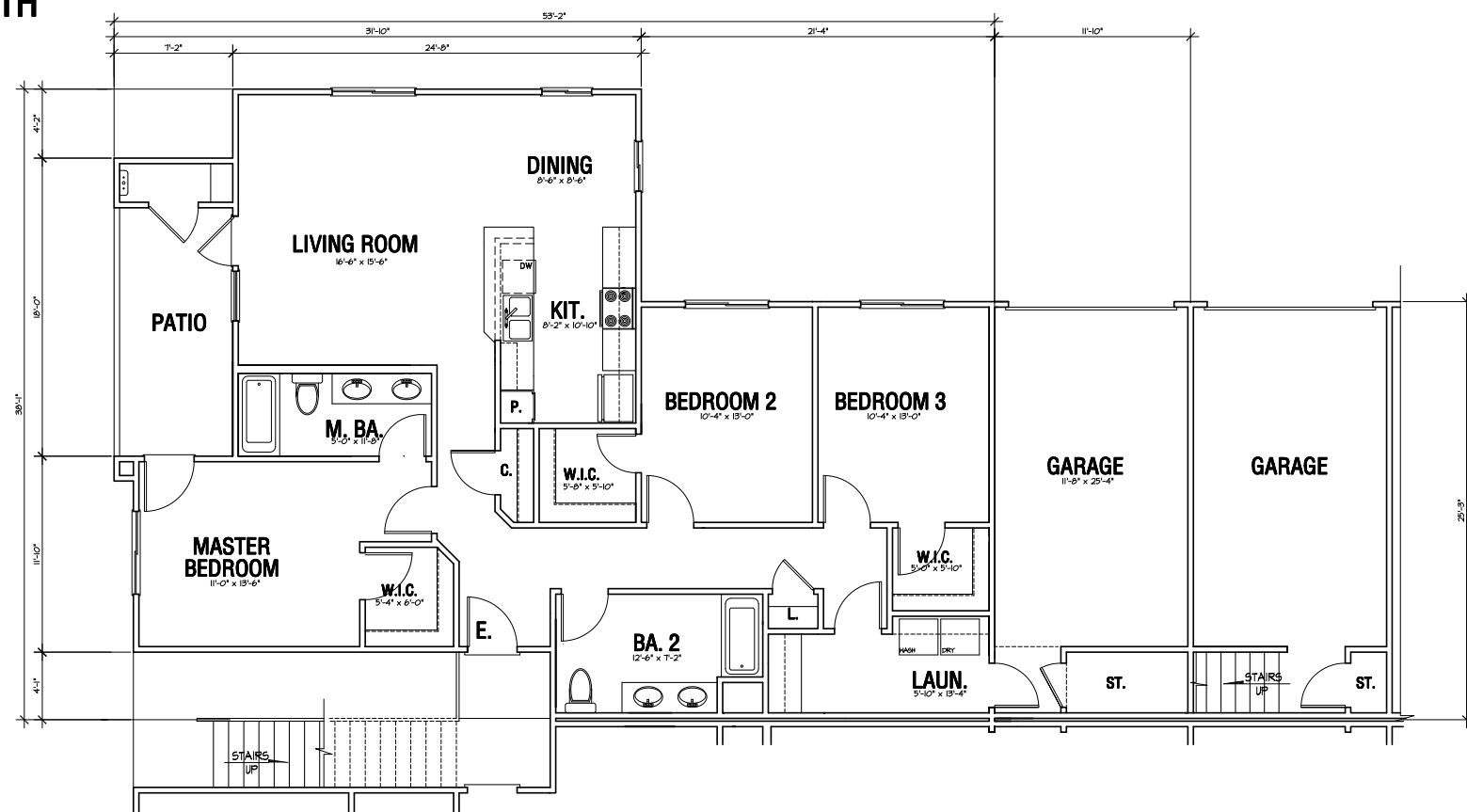
LEFT



RIGHT

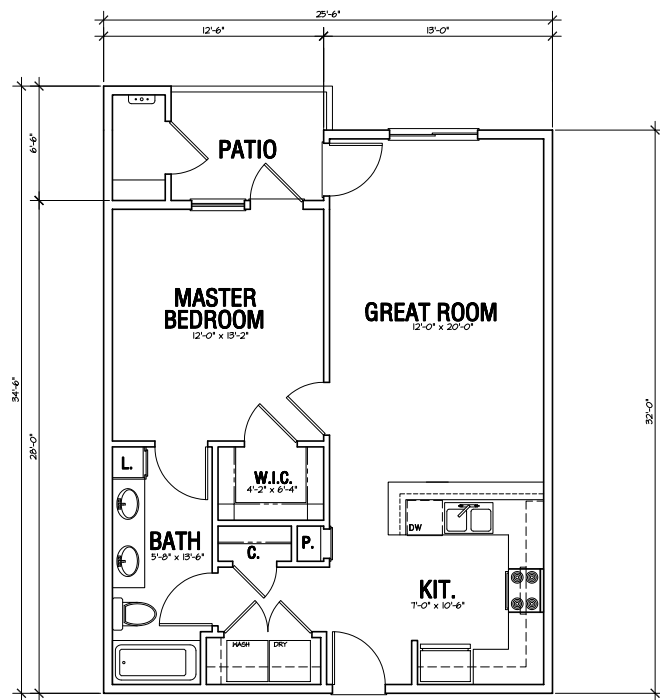


**UNIT "D"**  
**THREE BEDROOM / TWO BATH**  
 1,326 SQ. FT. - UNIT

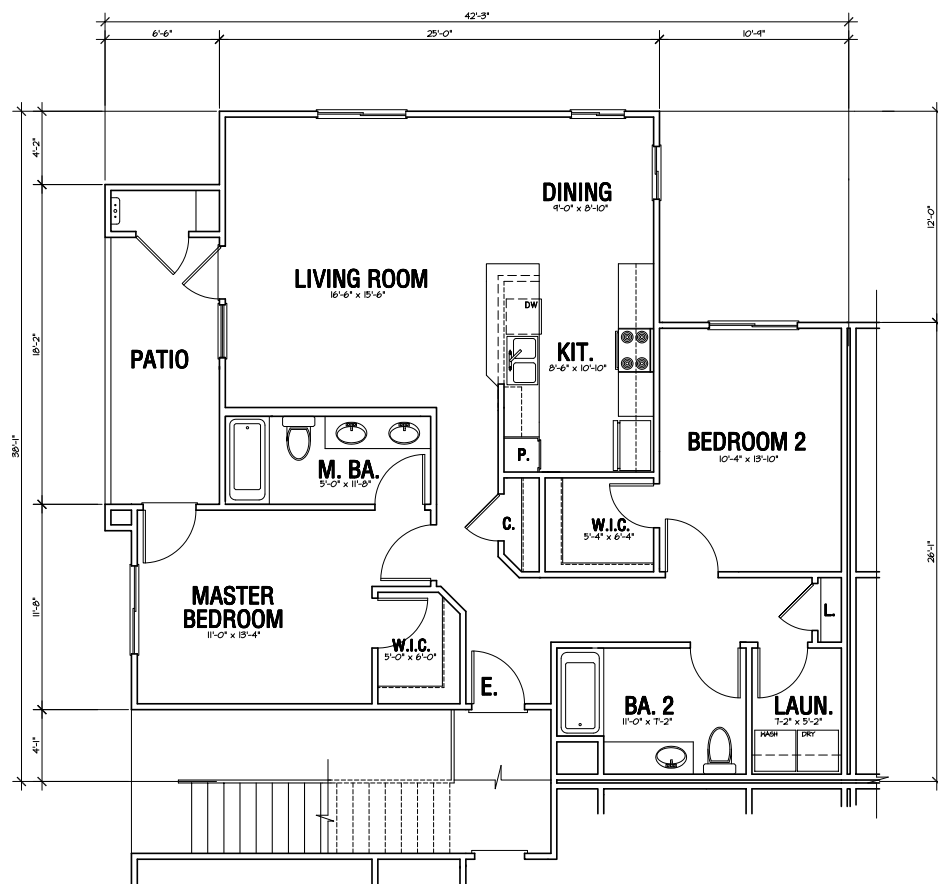


**UNIT "E"**  
**THREE BEDROOM / TWO BATH**  
**W/ ATTACHED GARAGE**  
 1,422 SQ. FT. - UNIT  
 308 SQ. FT. - GARAGE

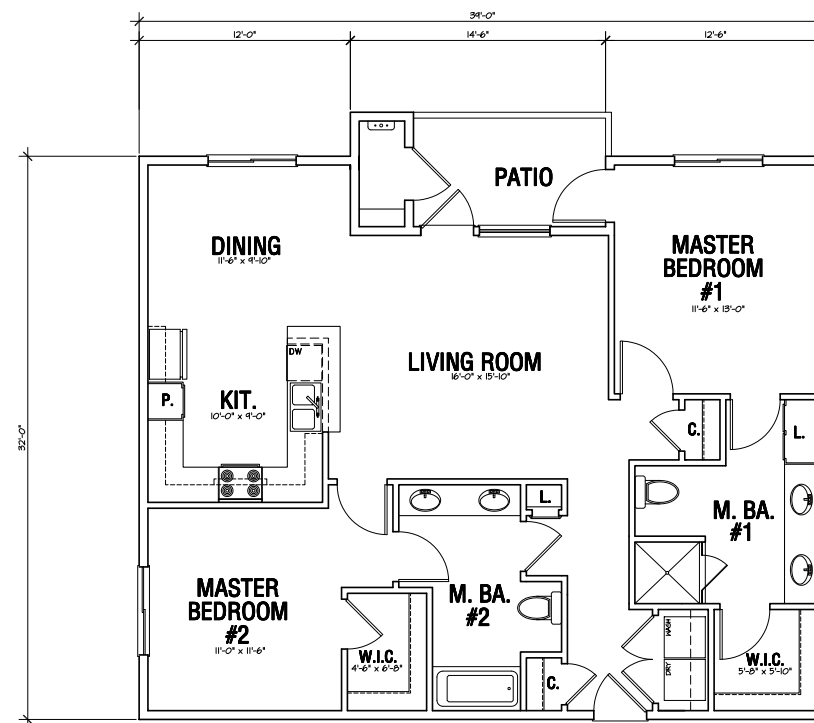
**R2018-11 & CUP2018-13, ATTACHMENT 8, Unit Floor Plans**



**UNIT "A"**  
**ONE BEDROOM / ONE BATH**  
 766 SQ. FT.



**UNIT "B"**  
**TWO BEDROOM / TWO BATH**  
 1,160 SQ. FT.



**UNIT "C"**  
**TWO BEDROOM / TWO BATH**  
 1,192 SQ. FT.

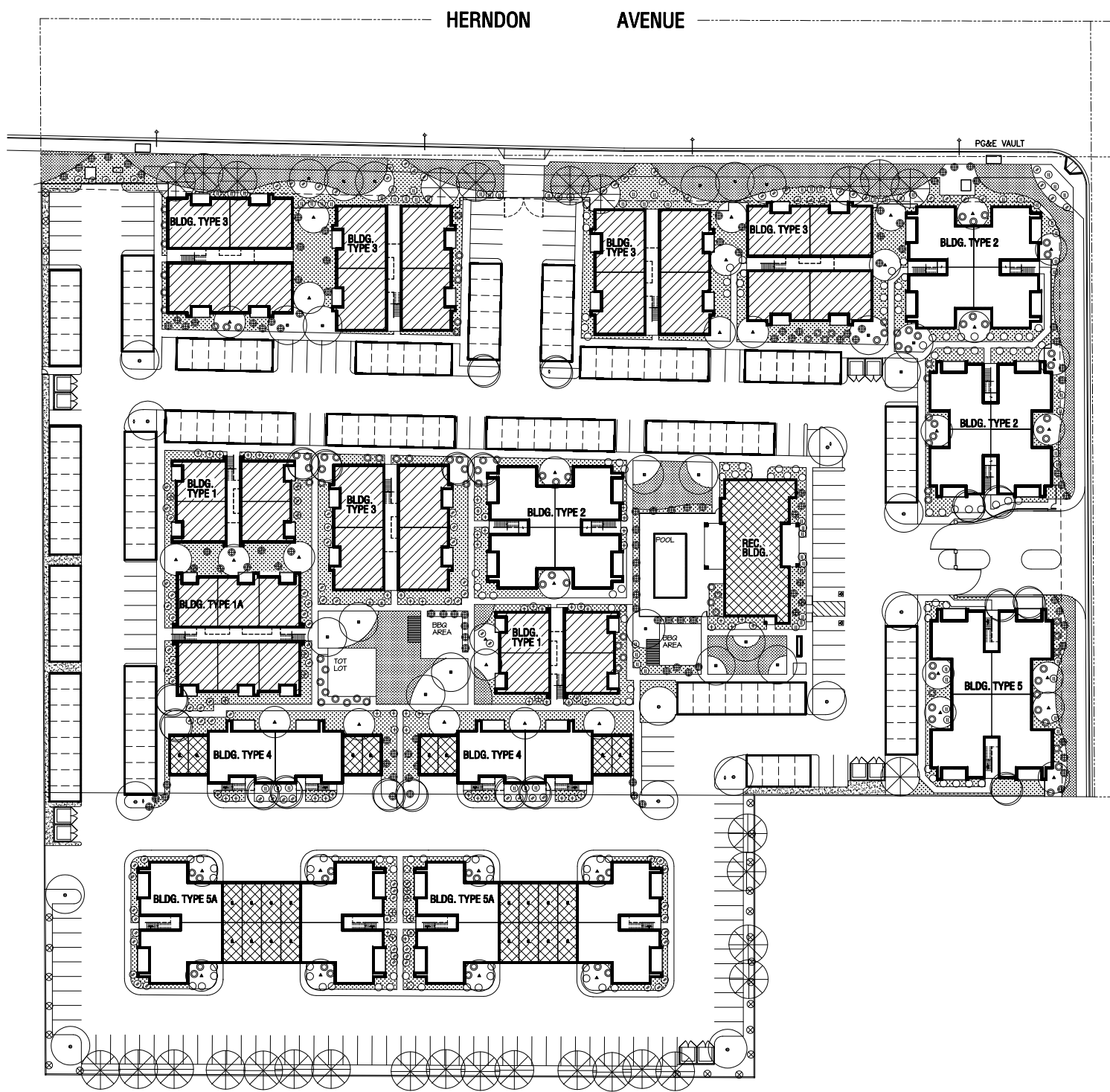
PROJECT TITLE:  
**MULTIFAMILY DEVELOPMENT**  
**PROPOSED 158 UNIT MULTIFAMILY PROJECT**  
 SAN CORNER HENDERSON AND MCKELVEY  
 CLOVIS, CALIFORNIA

SHEET TITLE:  
**UNIT FLOOR PLANS**



**KENT P. RODRIGUES** Architect  
 2000 W. MAGILL, FRESNO, CA 93711 (559) 436-1790  
 PLANNING • DESIGN • ARCHITECTURE

JOB NO.: AR-EN  
 DRAWN BY: RODRIGUES  
 SHEET NO.:  
**A-2**  
 OF 1 SHEETS  
 DATE: 8/11/18



**PLANTING LEGEND:**

**TREES:**

PKD	15 GAL. PISTACIA CHINENSIS "KEITH DAVEY"	KEITH DAVEY CHINESE PISTACHE
FO	15 GAL. FRAXINUS OXYCARPA "RAYWOOD" TM	RAYWOOD ASH
LT	15 GAL. LIRIODENDRON TULIPIFERA	TULIP TREE
LXN	15 GAL. PRUNUS ILICIFOLIA	PURPLE LEAF PLUM
GN	15 GAL. QUERCUS HUSLIZENII	INTERIOR LIVE OAK

**SHRUBS AND GROUNDCOVERS:**

HP	1 GAL. HESPERALOE PAVIFLORA / RED YUCCA / 2'-3' HxH / LOW WATER USE
AM	1 GAL. ACHILLEA MILLEFOLIUM / YARROW / LOW WATER LOW
ET	1 GAL. ERYSIUM INSULARE / ISLAND WALLFLOWER / LOW WATER USE
ND	1 GAL. NANDINA DOMESTICA / HEAVENLY BAMBOO / 3'-4' H x 2'-3"W / LOW WATER USE
DB	1 GAL. CALLISTEMON "LITTLE JOHN" / DWARF BOTTLEBRUSH / 3'-4' HxH / LOW WATER USE
LH	1 GAL. LANTAN HYBRIDS / SHRUB FORM / 4'-5' HxH / LOW WATER USE
PM	1 GAL. PARTHENOISSUS QUINQUEFOLIA / VIRGINIA CREEPER / VINE / MEDIUM WATER USE

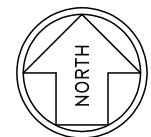
	TURF SOD / CROSSFIRE PESCUE GRASS DROUGHT TOLERANT
	ROCK MULCH / 2" - 4" ROCK MULCH
	MULCH WOOD SHREDDED REDWOOD / SHREDDED REDWOOD MULCH / 3" DEPTH

**LANDSCAPE NOTES:**

1. PROVIDE WEED BARRIER - NON WOVEN FILTER FABRIC, TYFAR OR EQUAL PLACED AND PINNED UNDER COBBLES (NOT ALLOWED UNDER PLANTING)
2. SOIL PREP PRIOR TO THE INSTALLATION OF PLANT MATERIALS. AREAS THAT HAVE BEEN COMPACTED SHALL BE THOROUGHLY LOOSENEED, COMPOST, PEAT OR OTHER AGED MANURE SHALL BE THOROUGHLY INCORPORATED AT A RATE OF AT LEAST 3 GAL. YDS. PER 1000 SQ. FT. NO AMENDMENTS NECESSARY IN SEEDBED AREAS.
3. LOCATION OF ALL UTILITIES SHOULD BE VERIFIED PRIOR TO PLANTING
4. TREES SHALL BE PLANTED PER CITY OF CLOVIS STANDARD AND REQUIREMENTS.
5. ALL SHRUB BEDS TO RECEIVE MULCH SPECIFIED TO A DEPTH OF 3" IN LANDSCAPE BEDS. COBBLE TO COMPLETELY COVER FABRIC (TYPICAL)
6. FERTILIZER FOR INSTALLATION AND ANY SITE MAINTENANCE TO BE "BOLSTER" PRODUCT FROM SUSTANE.

**LANDSCAPE IRRIGATION:**

IRRIGATION DESIGN TO CONFORM TO "MVELO" STANDARDS.



# CONCEPTUAL LANDSCAPE PLAN

R2018-11 & CUP2018-13, ATTACHMENT 10, Landscape Plan

**KENT P. RODRIGUES** Architect  
2000 W. MAGILL, FRESNO, CA 93711 (559) 438-1790  
PLANNING • DESIGN • ARCHITECTURE

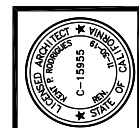
**CONCEPTUAL LANDSCAPE PLAN**

SHEET TITLE

PROJECT TITLE:  
**MULTIFAMILY DEVELOPMENT  
PROPOSED 158 UNIT MULTIFAMILY PROJECT**  
HERNDON AND MCKELVEY  
CLOVIS, CALIFORNIA

JOB NO.: AR-EN  
DRAWN BY: RODRIGUES  
SHEET NO.:  
**A-5**  
OF 1 SHEETS  
DATE: 8/12/17

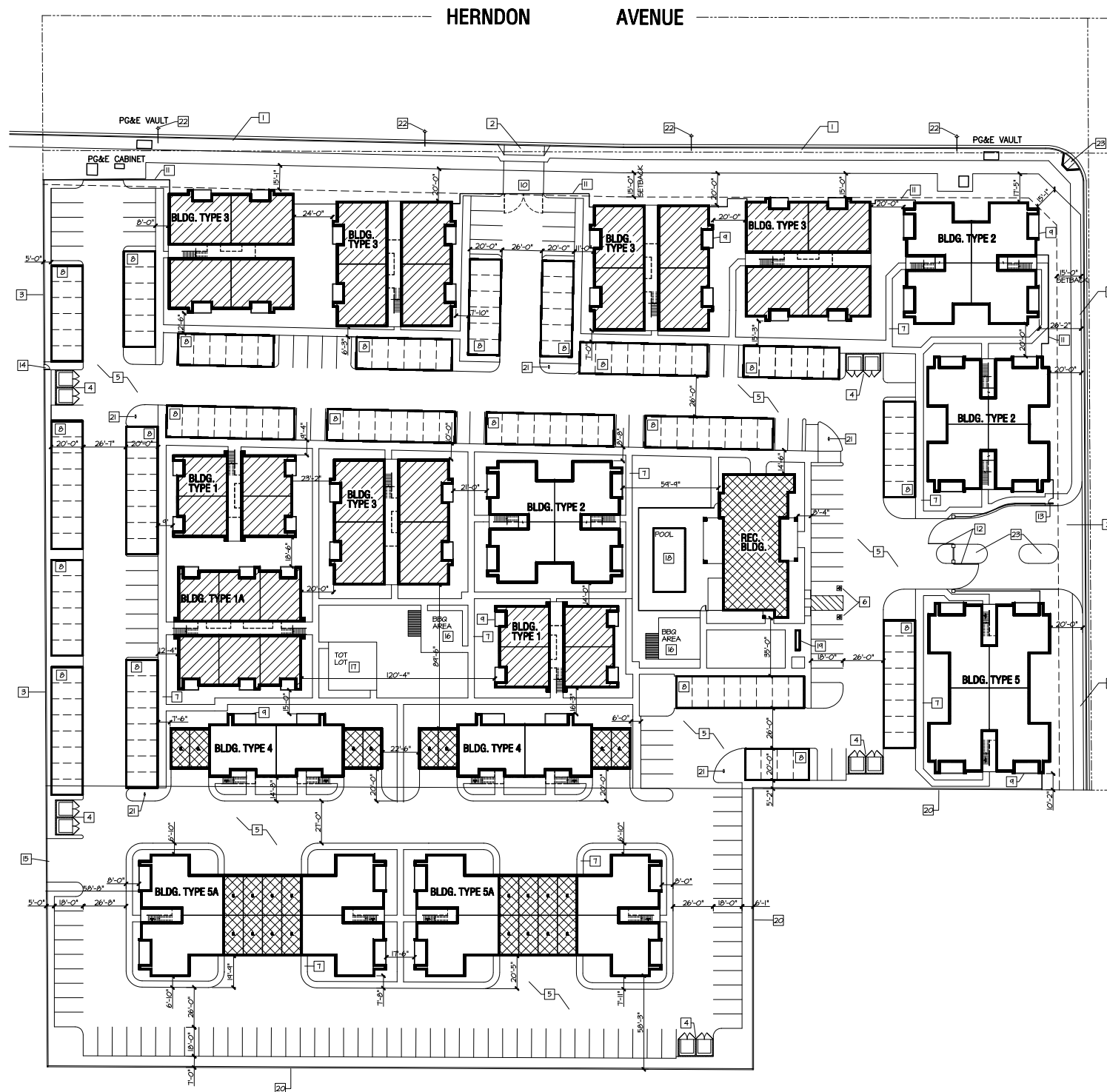




SHEET TITLE:  
SITE PLAN

PROJECT TITLE:  
MULTIFAMILY DEVELOPMENT  
PROPOSED 150 UNIT MULTIFAMILY PROJECT FOR:  
MARC O' POLO ENTERPRISES, INC.  
HERNDON AND MCKELVEY  
CLOVIS, CALIFORNIA

JOB NO.: AR-EN  
DRAWN BY: RODRIGUES  
SHEET NO.:  
A-1  
OF 1 SHEETS  
DATE: 8/12/17



### SITE STATISTICS:

**AGENCY OF JURISDICTION:**  
CITY OF CLOVIS

**PROJECT ADDRESS:**  
SE CORNER OF HERNDON AND MCKELVEY

**A.P.N.:**  
555-020-41

**EXISTING USE:**  
VACANT

**PROPOSED USE:**  
MULTIFAMILY RESIDENTIAL

**ZONING:**  
CURRENT R-A / PROPOSED R-3

**LAND:**

LAND AREA EQUALS 324,950 SQUARE FEET OF LAND OR 1.46 ACRES  
WITH 150 UNITS (2.19 UNITS PER ACRE)

### BUILDINGS:

BUILDING TYPE 1: 3 STORY BUILDINGS WITH 12 ONE BEDROOM / ONE BATH UNITS (2 BUILDINGS)  
BUILDING TYPE 1A: 3 STORY BUILDING WITH 8 TWO BEDROOM / TWO BATH UNITS (1 BUILDING)  
BUILDING TYPE 2: 2 STORY BUILDINGS WITH 8 TWO BEDROOM / TWO BATH UNITS (5 BUILDINGS)  
BUILDING TYPE 3: 3 STORY BUILDINGS WITH 12 TWO BEDROOM / TWO BATH UNITS (5 BUILDINGS)  
BUILDING TYPE 4: 2 STORY BUILDING WITH 4 THREE BEDROOM / TWO BATH UNITS AND ATTACHED GARAGES (2 BLDGS.)  
BUILDING TYPE 5: 2 STORY BUILDING WITH 8 THREE BEDROOM / TWO BATH UNITS (1 BUILDING)  
BUILDING TYPE 5A: 2 STORY BUILDING WITH 8 THREE BEDROOM / TWO BATH UNITS AND ATTACHED GARAGES (2 BLDGS.)

### UNITS:

UNIT 1A\* - ONE BEDROOM / ONE BATH - 166 SQ. FT. = 42 UNITS  
UNIT 1B\* - TWO BEDROOM / TWO BATH - 160 SQ. FT. = 24 UNITS  
UNIT 1C\* - TWO BEDROOM / TWO BATH - 142 SQ. FT. = 60 UNITS  
UNIT 1D\* - THREE BEDROOM / TWO BATH - 1326 SQ. FT. = 8 UNITS  
UNIT 1E\* - THREE BEDROOM / TWO BATH - 1422 SQ. FT. = 24 UNITS  
TOTAL 150 UNITS

### UNIT SQUARE FOOTAGE:

UNIT 1A\* - 166 SQ. FT. x 42 UNITS = 32,172 SQ. FT.  
UNIT 1B\* - 160 SQ. FT. x 24 UNITS = 27,840 SQ. FT.  
UNIT 1C\* - 142 SQ. FT. x 60 UNITS = 11,520 SQ. FT.  
UNIT 1D\* - 1326 SQ. FT. x 8 UNITS = 10,608 SQ. FT.  
UNIT 1E\* - 1422 SQ. FT. x 24 UNITS = 34,128 SQ. FT.  
TOTAL UNIT SQ. FT. 116,268 SQ. FT.

### BUILDING SQUARE FOOTAGE:

BUILDING TYPE 1: 2 BUILDINGS x 11,421 SQ. FT. PER BLDG. = 22,842 SQ. FT.  
BUILDING TYPE 1A: 1 BUILDING x 11,511 SQ. FT. PER BLDG. = 11,511 SQ. FT.  
BUILDING TYPE 2: 5 BUILDINGS x 11,452 SQ. FT. PER BLDG. = 57,260 SQ. FT.  
BUILDING TYPE 3: 5 BUILDINGS x 11,511 SQ. FT. PER BLDG. = 57,555 SQ. FT.  
BUILDING TYPE 4: 2 BUILDINGS x 1,008 SQ. FT. PER BLDG. = 2,016 SQ. FT.  
BUILDING TYPE 5: 1 BUILDING x 15,645 SQ. FT. PER BLDG. = 15,645 SQ. FT.  
BUILDING TYPE 5A: 2 BUILDINGS x 16,714 SQ. FT. PER BLDG. = 33,428 SQ. FT.  
RECREATION BLDG.: 1 BUILDING x 3,140 SQ. FT. PER BLDG. = 3,140 SQ. FT.  
TOTAL BUILDING SQUARE FOOTAGE 224,514 SQ. FT.

### PARKING:

PARKING REQUIRED: 2 STALLS PER UNIT x 150 UNITS = 316 STALLS  
PARKING PROVIDED:  
ONE ENCLOSED GARAGE PER UNIT OR 150 STALLS  
OPEN PARKING STALLS 168 STALLS  
TOTAL PARKING STALLS PROVIDED 326 STALLS

### LEGEND:



### SITE PLAN KEY NOTES:

1. CONSTRUCT NEW CONC. CURB, GUTTER AND SIDEWALK AS REQUIRED BY CITY OF CLOVIS
2. CONSTRUCT NEW CONC. APPROACH PER CITY OF CLOVIS STDS. AND REQUIREMENTS
3. PROVIDE 6'-0" HIGH CONC. BLOCK WALL AT WEST PROPERTY LINE
4. CONSTRUCT CONC. BLOCK TRASH ENCLOSURE PER CITY OF CLOVIS STDS. (TYP. OF 5)
5. PROVIDE ASPHALT PAVING AT PARKING LOT / TRAFFIC CIRCULATION AREAS
6. PROVIDE ACCESSIBLE PARKING STALL AND RAMP WITH ALL REQUIRED SIGNAGE
7. MIN. 4'-0" WIDE CONC. WALKS WITH MAX 2% CROSS SLOPE
8. ENCLOSED GARAGES, MIN. 10' x 20' WITH OVERHEAD GARAGE DOORS
9. 5'-0" HIGH PATIO FENCES AT UNITS
10. FIRE DEPARTMENT ACCESS, CONTACT CLOVIS FIRE DEPARTMENT FOR GATE REQUIREMENTS
11. DECORATIVE WROUGHT IRON FENCING
12. WROUGHT IRON SECURITY GATES AT ENTRY / ELECTRONICALLY OPERATED
13. PROPOSED CONTROLLED PEDESTRIAN ACCESS GATE
14. PROPOSED PEDESTRIAN ACCESS TO FUTURE DEVELOPMENT TO THE WEST
15. PROPOSED POINT OF VEHICULAR ACCESS TO FUTURE DEVELOPMENT TO THE WEST
16. PROPOSED BAR-B-QUE AREA WITH TRELLIS
17. PROPOSED TOT LOT AREA / OWNER TO SELECT EQUIPMENT
18. PROPOSED SWIMMING POOL
19. PROPOSED MAIL KIOSK LOCATION
20. PROPOSED 8'-0" HIGH CONC. BLOCK WALL AT ADJACENT SINGLE FAMILY RESIDENTIAL
21. PROPOSED FIRE HYDRANT LOCATIONS, COORDINATE LOCATIONS WITH CLOVIS FIRE DEPT.
22. EXISTING STREET LIGHTS
23. CONSTRUCT NEW ACCESSIBLE RAMP AT CORNER PER CITY OF CLOVIS STDS.
24. LANDSCAPED MEDIAN AT PROJECT ENTRY



## SITE PLAN