



AGENDA • PLANNING COMMISSION

Thursday, September 27, 2018 Council Chamber, 1033 Fifth Street, Clovis, CA 93612 (559) 324-2340 www.cityofclovis.com

Commission Members: Paul Hinkle, Chair, Amy Hatcher, 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 <u>www.cityofclovis.com</u>.

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.

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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. Approve, Planning Commission Minutes from August 23, 2018

Recommendation: Approve

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, Res. 18-___, CUP2018-04, A request to approve a conditional use permit for a 10-unit multiple-family condominium complex for the property located at 1855 Austin Avenue. Mohamed Annan, owner/applicant; Elias Saliba, Architect, representative.

Staff: Orlando Ramirez, Deputy City Planner Recommendation: Continue to a date certain

3. Consider Approval, Res. 18-___, V2018-02, A request to approve a variance to reduce the street side setback requirements of the R-1 (Single-Family Medium Density) Zone District for lot 110 of Tract 6181, located at the northeast corner of Shaw and Leonard Avenues. Century Communities, applicant/owner; Urpi Arriola, representative.

Staff: Maria Spera, Planning Technician II Recommendation: Approve

- 4. Consider items associated with approximately 18.13 acres of land located at the northeast corner of Ashlan and Locan Avenues. Peter G. & Laura L. Herzog Trs., Sonrise Baptist Church of Clovis CA, owners; Wilson Premier Homes, Inc., applicant; Harbour & Associates, representative.
 - Consider Approval, Res. 18-__, A request to approve an environmental finding of a Mitigated Negative Declaration for General Plan Amendment GPA2018-01, Rezone R2018-07 and Vesting Tentative Tract Map TM6225.
 - b. Consider Approval, Res. 18-__, GPA2018-01, A request to amend the General Plan and Loma Vista Specific Plan to re-designate approximately 11.37 acres of land from Public/Quasi-Public Facilities classification to Medium High Density Residential (7.1 to 15.0 DU/AC) classification.
 - c. Consider Approval, Res. 18-__, R2018-07, A request to approve a rezone of approximately 18.13 acres of land from the R-A (Single-Family Residential 24,000 Sq. Ft.) Zone District to the R-1-PRD (Planned Residential Development) and P-F (Public Facilities) Zone Districts.
 - d. Consider Approval, Res. 18-__, **TM6225**, A request to approve a vesting tentative tract map for a 94-lot single-family planned residential development on approximately 11.37 acres of land.

Staff: George Gonzalez, Associate Planner Recommendation: Approve

5. Consider Approval, Res. 18-___, CUP2018-08, A request to approve a conditional use permit to allow for the addition of two modular buildings (a classroom and library) and an increase in the number of students from 120 students to 220, at an existing private school facility located at 108 N. Villa Avenue. Charlie Keyan Armenian Community School, owner/applicant; Shaunt Yemenjian, AIA, representative.

Staff: Orlando Ramirez, Deputy City Planner Recommendation: Approve

<u>6.</u> Consider Approval, Res. 18-<u>___</u>, **CUP2018-10**, A request to approve a conditional use permit for a bar with ancillary micro brewing at 2700 Clovis Avenue, suites 103 and 104. Rodney and Dana Heinrich, owners; Ish Brewing Company, LLC., applicant.

Staff: Lily Cha, Assistant Planner Recommendation: Approve <u>7.</u> Consider Approval, Res. 18-<u>___</u>, **CUP2018-11**, A request to approve a conditional use permit to allow for seasonal outdoor recreation and entertainment events for the property located at 841 Clovis Avenue. Hodges Investment Group, LLC, owner; Shanna Collotzi and Jeff Spraetz, applicants.

Staff: Joyce Roach, Planning Assistant Recommendation: Approve

- 8. Consider items associated with the 2015-2023 Housing Element's Regional Housing Needs Assessment. City of Clovis, applicant.
 - a. Consider Approval, Res. 18-___, GPA2018-05, A text modification to the General Plan to add Multiple-Family Housing to the list of typical uses in Public, Schools, and Water designations and add the RHN (Regional Housing Needs) Zone District as a typical use within residential zoned properties.
 - b. Consider Approval, Res. 18-___, **OA2018-03**, A text modification to the Development Code to provide for Multiple-Family Housing as a permitted use in the P-F (Public Facility) Zone District and to add a new RHN (Regional Housing Needs) overlay zone district.

Staff: Bryan Araki, City Planner Recommendation: Approve

ADJOURNMENT

Meetings and Key Issues			
October 25, 2018	6:00 P.M.	Regular Meeting	Council Chamber
November 5, 2018	6:00 P.M.	Joint Meeting with Council	Council Chamber
November 15, 2018	6:00 P.M.	Regular Meeting	Council Chamber
December 20, 2018	6:00 P.M.	Regular Meeting	Council Chamber
January 24, 2019	6:00 P.M.	Regular Meeting	Council Chamber

CLOVIS PLANNING COMMISSION MINUTES August 23, 2018

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

Flag salute led by Commissioner Cunningham

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

Absent: None

Staff: Bryan Araki, City Planner Orlando Ramirez, Deputy City Planner George Gonzalez, Associate Planner Lily Cha, Assistant Planner Sean Smith, Associate Civil Engineer

MINUTES

The Commission approved the July 26, 2018, minutes by a vote of 5-0.

COMMISSION SECRETARY

City Planner Araki introduced the new commissioner Brandon Bedsted, who made a brief statement, and detailed changes to the Planning Commission agenda document.

PLANNING COMMISSION MEMBERS COMMENTS

Chair Hinkle welcomed the new commissioner and expressed gratitude for serving the City of Clovis.

COMMUNICATIONS AND REFERRALS

Items related to Agenda Items X-2 and X-4.

BUSINESS FROM THE FLOOR

None

CONSENT CALENDAR

None

PUBLIC HEARINGS

1. Consider approval Res. 18-42, **TM6221**, A request to approve a vesting tentative tract map for a 23-lot single-family residential development for property located at the northwest corner of Ashlan and Locan Avenues. Marilyn Ishimaru, Masaji Miyake,

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Masato Miyake, and Tom Miyake, owners; 2M Development, applicant; Harbour & Associates, representative. (This item was continued from June 28, 2018).

Associate Planner George Gonzalez presented the staff report.

Commissioner Antuna inquired as to the future of a pool on the remainder lot that appeared to encroach on a planned sidewalk. The applicant indicated to Associate Planner Gonzalez that the pool will be removed.

Chair Hinkle inquired as to the possibility of enforcing consistency in the future through a condition as it relates to changing the remainder lot access from Ashlan Avenue to Antonio Avenue. Associate Civil Engineer Sean Smith responded that he has no recollection of such being done before but that this is staff's intent in the event of future development of that particular lot.

Chair Hinkle followed up with an inquiry as to the possibility of sealing that access in the case of the property being sold but left unchanged. Chair Hinkle explained that his inquiries are aimed at bringing about consistency in the form of Ashlan Avenue in the future, despite accommodating the property owner's request in the present. Associate Civil Engineer Smith responded that he has no recollection of such a condition being required during his tenure but he can research the topic. Such conditions have been placed on demolition or development of a house, but not on the sale of a house, to his knowledge. Deputy City Planner Ramirez further explained that the proper process to re-orient the access in question would be the parcel map process, if the future owner wishes to subdivide the property.

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

Gary Mason, President of 2M Development, provided some information on actions taken since the previous presentation of this project and offered to answer questions.

Commissioner Cunningham sought and received confirmation that the developer and the property owner Mr. Miyake are now in agreement on the tract map.

Chair Hinkle expressed concern with the proposed narrowing of Megan Avenue in terms of the safety of bicycle traffic on that route, inquiring as to whether there is a necessity for the narrowing safety-wise. Mr. Mason responded that the design adheres to City street standards and that the difference between the two stub streets is only four feet. Chair Hinkle reiterated his inquiry as to the reason for the street narrowing. Mr. Mason responded that the City standard is for fifty-foot streets, which the design calls for, in a similar tie-in fashion as other subdivisions in the City.

Chair Hinkle followed up with an inquiry into whether the proposed street is fifty feet curb-tocurb. Associate Civil Engineer Smith explained that the fifty feet is property line to property line. Chair Hinkle stated that looking at the south property line for Lot 12, the street does not appear to be fifty feet. Associate Civil Engineer Smith responded that according to his interpretation, there is fifty feet across the right-of-way at the south end of Lot 12 and fifty-four feet north of that point, deferring to the applicant and their engineer for further clarification. City Planner Araki confirmed that the existing stub street is fifty-four feet and that the new street would be fifty feet at its narrowest point. Chair Hinkle remarked that the distances on the drawing are deceiving. Mr. Mason explained that the difference is due to the old versus new standard and that a transition is included.

Commissioner Cunningham sought and received confirmation that there would be two-way traffic with parking on both sides at the previously discussed choke point at Lot 12. Associate Civil Engineer Smith further explained that the fifty-foot width is the minimum allowed for such a street under the Narrow Street Policy. Commissioner Cunningham expressed concern about the creation of a choke point, from a safety point of view, given that the existing street already has a fifty-four foot width. Mr. Mason assured that the design conforms to the current standards.

Chair Hinkle stated that one of the Commission's concerns is safety and making sure that, even with the Narrow Street Policy, an unsafe situation is not created. Commissioner Bedsted suggested moving the transition point to the corner of the lot to prevent the creation of a choke point. Lorren Smith of Harbour & Associates, the project engineer, provided a detailed explanation of the currently proposed transition point, the reason for its location, and the amount of work and discussion put into its design.

Commissioner Cunningham stated that, though this is not a deal-breaker for him, this street design "just doesn't look right," due to the width of the existing street.

Chair Hinkle stated that the Commission has to compare what is being done with the General Plan, that safety is a top priority, and he does not see this as being safe for bicycling children in case of a distracted driver.

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.

Chair Hinkle stated that he is in favor of the project but would like to see the addition of a condition keeping the width of Megan Avenue consistent throughout for safety, as he does not foresee the loss of two feet from the lots on each side to be something rendering them unsellable.

Commissioner Antuna expressed that though she understands the Chair's point, she believes that having the street narrow at the point it does will not interfere with driving, the developer has adhered to the City's standards, and that the narrowing must take place at some point as the street width within the development is fifty feet.

City Planner Araki added an explanation of the new Narrow Street/ Reduced Street Width Policy in terms of this project, as the proposed project street width is not the most reduced width allowed, and proposed putting forward a motion to gauge the Commission's current standing on this project.

Commissioner Bedsted inquired as to whether street width transitions such as the one proposed are customary in such projects. City Planner Araki provided an explanation to how such occurs but is not common.

Chair Hinkle explained that his concern stems from the proposed street becoming the quickest route to the nearby school.

Commissioner Hatcher inquired as to whether the Commission wished to add a condition regarding Ashlan Avenue access from the remainder lot to the motion.

Commission Antuna proposed that the condition state that the access be reoriented after sale and demolition of all or part of the existing house.

Commissioner Cunningham expressed agreement with the sentiment but concern with the legality of such a condition.

Commission Hatcher responded that the condition can be for the next parcel map applied to the property.

At this point a motion was made by Commissioner Cunningham and seconded by Commissioner Hatcher to approve TM6221 with a new condition requiring Ashlan Avenue access be abandoned in regards to any future parcel maps for the remainder lot. The motion was approved by a vote of 4-1.

Consider approval Res. 18-43, **R88-09A**, A request to approve an amendment to the conditions of approval to allow for the development of a multiple-family development consistent of the R-2 Zone District for property located at 1855 Austin Avenue. Mohamad Annan, owner/applicant; Aesthetics Designs, representative. (starts at 6:38:45)

Deputy City Planner Orlando Ramirez presented the staff report.

Commissioner Cunningham sought and received confirmation that the codified height limitation in residential zoning areas is thirty-five feet.

Chair Hinkle sought and received confirmation that the item before the Commission tonight relates only to amending the zoning. Deputy City Planner Ramirez explained that the applicant has submitted an application for a conditional use permit which will be presented before the Commission in September, hence the reason some of the information presented tonight does not pertain to the zoning amendment application.

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

Eli Saliba, architect for Aesthetics Designs, provided background on the project and offered to answer questions.

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

Mohamad Annan of 1855 Austin Avenue, Clovis, owner of the property in question spoke in favor of the project in economic and environmental terms.

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

Kevin Carlson of 1848 Richert Avenue, author of the received correspondence, spoke in opposition of the project citing privacy concerns, offered an alternative proposal involving a mixture of single- and two-story buildings to resolve this concern, and inquired into the possibility of a condition restricting building height on the northern side of the property.

At this point, the Chair closed the public portion.

Chair Hinkle sought and received confirmation that the concerns raised by Mr. Carlson would be addressed by the conditional use permit application, which would be site specific and include floor plans and elevations while also providing another opportunity for the property owners to express their concerns and work with the applicant.

Chair Hinkle sought clarification as to whether or not there would be a neighborhood meeting before the next Planning Commission meeting. Deputy City Planner Ramirez clarified that there is no official neighborhood meeting planned but that there has been discussion with the applicant regarding outreach to neighboring properties, particularly those to the north.

Commissioner Hatcher inquired as to whether this proposed development may be two-story by right. Deputy City Planner Ramirez confirmed this with a brief explanation as to the imposed building size limitation. Commissioner Hatcher followed up by seeking and receiving confirmation that the Commission may not limit what is developed on this property at this point in time.

Chair Hinkle recommended that the applicant reach out to and attempt to work with adjacent property owners.

Commissioner Antuna sought and received confirmation that the property of the public member is directly adjacent to the project site, and that his concern is an invasion of privacy from the construction of a two-story building near the shared property line.

Chair Hinkle stated that the matter will involve configuration of the site and reiterated his hope that the applicant will work with neighboring property owners on the issue, as such cooperation has worked well in the past on other projects.

Commissioner Antuna sought and received confirmation that, given that other adjacent property owners were not present, approval of the rezone amendment would only remove the height limitation and make the property subject to R-2 zoning standards.

At this point a motion was made by Commissioner Antuna and seconded by Commissioner Cunningham to approve R88-09A. The motion was approved by a vote of 5-0.

3. Consider approval Res. 18-44, **CUP2018-07**, A request to approve a 150-bed skilled nursing facility for properties located at the southeast corner of Herndon and Coventry Avenues. Fresno Community Hospital and Medical Centers, owner/applicant.

Assistant Planner Lily Cha presented the staff report.

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

Jonathan Miller, Facilities, Planning, and Construction Manager of Community Regional Medical Center, provided some information on the project and offered to answer questions.

Commissioner Antuna inquired as to when patients will be admitted/discharged if this facility operates on a 24-7 basis. Mr. Miller provided an explanation.

Commissioner Antuna followed up with an inquiry as to the times of medical transport services. Mr. Miller provided a time frame and projected numbers as well as clarification on to what it refers.

Commissioner Cunningham sought and received confirmation that this facility would be a competitor to San Joaquin Rehabilitation.

Commissioner Cunningham followed up with an inquiry as to the rehabilitation services the facility is intended to supply, compared to San Joaquin Rehabilitation and San Joaquin Gardens. Mr. Miller provided some information on his proposed facility in comparison to those two.

Commissioner Antuna inquired as to whether this proposed facility would be like the Genesis facility at the intersection of Willow and Alluvial Avenues. Mr. Miller responded that he is unfamiliar with that facility. Commissioner Hinkle responded that a more apt comparison would be to the Horizon facility on Chestnut Avenue, which was confirmed by Mr. Miller.

Commissioner Cunningham inquired as to which would be the intended primary access for the facility, Coventry Avenue or Herndon Avenue. Mr. Miller responded that it would ideally be Coventry Avenue, providing details.

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.

Chair Hinkle inquired as to the possibility of moving the right-hand turn off Herndon further east, as it seemed rather close to the signal light and so he was concerned about causing traffic backup. Associate Civil Engineer Smith responded that the applicant will be providing a deceleration lane for that turn.

Chair Hinkle expressed concern for instances of drivers passing on the right at that point and causing problems. Associate Civil Engineer Smith provided details of the design of the turn, including the presence of a barrier guiding traffic into the parking lot. City Planner Araki added information regarding the upcoming widening of Herndon Avenue.

Commissioner Antuna inquired as to when the Herndon Avenue will be taking place in terms of this project. She expressed concern due to traffic congestion caused by the presence of Cedarwood Elementary School near this location and the increase in traffic that would be generated by this project. Associate Civil Engineer Smith responded that he believes it is set for 2020, and assured that the street will be widened before building completion of this project.

Commissioner Antuna inquired if the applicant would agree to the addition of a condition regarding limiting deliveries during school hours. Mr. Miller agreed with the proviso that the limitation applies to peak times only and not the entire school day, and that this is limited to the Coventry Avenue entrance.

Chair Hinkle inquired as to the possible presence of a water line through the south end of the property as there appears to be a water pipe stand or pipe emerging from the ground. City Planner Araki responded that there are some storm facilities on this property, providing some details.

Chair Hinkle inquired about access for future development to the east of the subject property. City Planner Araki provided some clarification on that topic.

At this point a motion was made by Commissioner Cunningham and seconded by Commissioner Hatcher to approve CUP2018-07 with the addition of a condition regarding reciprocal access and one limiting truck access hours on Coventry Avenue. The motion was approved by a vote of 4-0-1.

4. Consider approval Res. 18-45, **TM6134A**, A request to amend an approved vesting tentative tract map, reducing the lot count from 20-lots to 14-lots and an outlot, for a single-family residential subdivision for the approximate five acres of land located at the northwest corner of Teague and Locan Avenues. Tri Valley Development Group LLC, owner; Encanto 6176, LLC, applicant; John Ennis, representative.

Deputy City Planner Orlando Ramirez presented the staff report.

Commissioner Cunningham inquired as to whether the Fresno Irrigation District's letter regarding the new layout would be identical to that submitted for the tract's previous layout in terms of water flow and flooding. Deputy City Planner Ramirez responded that the concerns would be the same, and that they are the jurisdiction of the Fresno Metropolitan Flood Control District.

Chair Hinkle inquired as to the drainage in Outlot A. Deputy City Planner Ramirez provided an explanation.

Commissioner Cunningham inquired as to when the two correspondence objections were received. Deputy City Planner Ramirez provided that information. Commissioner Cunningham followed up with an inquiry into whether there is a statutory requirement to review correspondence submitted late. Deputy City Planner Ramirez explained that the legal notices specify a deadline of 3:00pm on the date of public hearing and that one of the pieces of correspondence was received after that point.

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

Manny Penn of 3370 Loyola Avenue referred to a prepared statement and offered to answer questions.

Chair Hinkle sought and received confirmation that the reduced lot sizes would lead to larger homes throughout the project, and therefore blend in more with surrounding neighborhoods.

Mr. Penn also provided further detail into the changes from the previous design and the reasons behind them.

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

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

Carol Hunt of 1634 N. Locan Avenue expressed not opposition but concern regarding flooding. She mentioned sending a map with her letter, but it was not received, so she brought her copy forward to the dais and explained her flooding concerns to the Commission members, staff, and the applicant.

Mr. Penn provided details in regards to development, water flow, and flood control in the area around her property.

Images regarding the placement of dirt cast off from nearby development were shown.

Ms. Hunt stated that though Mr. Penn has the right to develop his property how he wishes, she has observed flooding come out of the nearby developments and inundate her neighbors' properties. She objected to the FMFCD using statistics from the 1950's to predict water flow, believing them to be too out-of-date.

Associate Civil Engineer Smith explained that he had recently been in touch with FMFCD regarding this project, expecting some of these issues to be brought up.

Ms. Hunt requested answers to the questions she had submitted on Tuesday.

Commissioner Antuna sought and received confirmation that Ms. Hunt had been meeting with Mr. Penn, though Ms. Hunt also stated that she had not had contact with him recently.

Commissioner Antuna followed up with an inquiry as to whether Ms. Hunt's questions regarding materials to be used and similar questions could be addressed with Mr. Penn directly. Ms. Hunt responded that she did not know who could address which question, and inquired what material is being used for a retaining wall. Mr. Penn responded that that question cannot be answered at this time as the wall would need to be designed by their engineers based on requirements.

Ms. Hunt then inquired as to how flood control channels in the area will be connected, how angles in the channel and erosion will be addressed, and whether north-south flow will be pushed onto her property with the elevation of Mr. Penn's property. Associate Civil Engineer Smith responded that these questions will be worked out in the design phase, providing a detailed explanation.

Commissioner Cunningham requested that Associate Civil Engineer Smith provide a card, and therefore a contact within the City, to Ms. Hunt. Ms. Hunt stated that she already has his phone number.

Ms. Hunt closed with a request to the Commission to bear in mind that the flood control work is based on out-of-date statistics, and that though she hopes things work out, she has seen negative flooding effects from the approved developments in the area.

Patrick Murray of 2835 Heritage Avenue stated that all of the drainage from the adjacent De Young project to the southeast of his property is inundating his property. He expressed appreciation for the larger lot sizes but also concern that drainage from this project and from the proposed project may be more than current flood control can handle, given that his property flooded earlier this year despite assurance that it would not. He closed with an acknowledgement that these issues will not be solved this night, but that he hopes the Commission and staff will work them out.

At this point, the Chair closed the public portion.

Chair Hinkle sought and received confirmation that approval of the tract map tonight would allow development to move forward and take the issues brought forward tonight into consideration and worked on with that further development. Associate Civil Engineer Smith also stated that other agencies such as FEMA and FMFCD will potentially be involved in dealing with the flooding issue.

Chair Hinkle also sought and received confirmation that the Commission's role in this project is to approve or deny based on what type of development is sought for this location, and that the flood control issues will be handled by staff, the applicant, and various agencies afterward during implementation of that development, in order to ensure that all present understood the general sequence of events and roles of entities involved in those events.

Commissioner Hatcher inquired as to the involvement of nearby residents in this process as it pertains to providing current information alongside historical data. Associate Civil Engineer Smith responded that the information provided by them is invaluable as it helps to manage flooding.

Commissioner Hatcher assured the members of the public that the Commission listened to them but that some of the issues aired cannot be worked out by the Planning Commission, and encouraged them to keep in touch with staff and stay involved in the process to provide information to help deal with the flooding.

At this point a motion was made by Commissioner Cunningham and seconded by Commissioner Hatcher to approve TM6134A. The motion was approved by a vote of 5-0.

Commissioner Cunningham remarked that it isn't feasible to read correspondence submitted after the deadline, as it would have to be done during the meeting, and requested that such items not be submitted to him. The Commission wishes to be accommodating but there are limits to what they can do. It is unrealistic to except that someone will be able to read, digest, and competently discuss correspondence given to them mere minutes before the start of a meeting.

Commissioner Antuna expressed agreement.

City Planner Araki suggested that this may be a good policy discussion topic for a joint meeting with the City Council, as this issue and the extent of obligation regarding such correspondence has been brought up by the Council previously.

Chair Hinkle sought and received confirmation of a change in date for the upcoming joint meeting with the City Council.

OLD BUSINESS

None

NEW BUSINESS

None

ADJOURNMENT AT 7:45 P.M. UNTIL the Planning Commission meeting on September 27, 2018.

AGENDA ITEM: 2



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CITY of CLOVIS

MEMO TO THE PLANNING COMMISSION

- TO: Clovis Planning Commission
- FROM: Planning and Development Services
- DATE: September 27, 2018
- SUBJECT: Consider Approval, Res. 18-___, CUP2018-04, A request to approve a conditional use permit for a 10-unit multiple-family condominium complex for the property located at 1855 Austin Avenue. Mohamed Annan, owner/applicant; Elias Saliba, Architect, representative.

ATTACHMENTS:

Attachment 1: Applicant's Continuance Request

The applicant has submitted a request to continue the conditional use permit to the October 25, 2018, Planning Commission date. The applicant would like to utilize this continuance to address site design concerns specific to the proposed placement of units.

From: mohamad annan [mailto:m-annan@outlook.com]
Sent: Thursday, September 13, 2018 6:00 PM
To: Orlando Ramirez
Subject: Request to delay the CUP for October meeting for the Austin project at Ashlan and Fowler

Good afternoon,

This is a request to delay going to the commission as scheduled on September 27, 2018. If you can reschedule the CUP to make it to the October commission meeting, it would be much better and I would appreciate it.

I am requesting the delay of one month based on the council's direction and the neighbor's comments. I will be revising the plan to come up with a win/win solution based on one of the council member's suggestion. Also, another council member suggested that 20 feet set back in the back for privacy reasons is best and that is what Mr. Kevin (our neighbor) is concerned about. We have been working hard ever since the council meeting but I need a little extra time, that is why I need to delay.

I appreciate your consideration in delaying the CUP to go to the commission in October.

Thank you so much.

Mohamad Annan, Owner / developer 559-270-4448

AGENDA ITEM NO: 3



CITY of CLOVIS

REPORT TO THE PLANNING COMMISSION

- TO: Clovis Planning Commission
- FROM: Planning and Development Services
- DATE: September 27, 2018
- SUBJECT: Consider Approval, Res. 18-___, V2018-02, A request to approve a variance to reduce the street side setback requirements of the R-1 (Single-Family Medium Density) Zone District for lot 110 of Tract 6181, located at the northeast corner of Shaw and Leonard Avenues. Century Communities, applicant/owner; Urpi Arriola, representative.
- ATTACHMENTS: Figure 1: Location Map Exhibit "A": Conditions of Approval Attachment 1: Draft Resolution Exhibit "B": Site Plan

CONFLICT OF INTEREST

None.

RECOMMENDATION

Staff recommends that the Planning Commission approve variance request V2018-02, subject to the attached conditions of approval listed in Exhibit "A".

EXECUTIVE SUMMARY

The applicant is requesting approval of a variance to reduce the street side yard setback requirement of the R-1 (Single Family Medium Density) Zone District for lot 110 of Tract 6181. This will allow the developer to develop lot 110 and comply with the density requirement of the General Plan.

Planning Commission Report Variance V2018-02 September 27, 2018

BACKGROUND

General Plan Designation:	Medium Density Residential (4.1 to 7.0 units per acre)
Specific Plan Designation:	Southeast Urban Village
Existing Zoning:	R-1 (Single-Family Residential Low Density)
Lot Size:	7,542 square feet
Current Land Use:	Medium Density Residential
 Adjacent Land Uses: 	North: Medium Density Residential South: Medium Density Residential East: Open Space West: General Commercial
Previous Entitlements:	RO294 (Annexation) R2017-03 (County AE-20 to R-1) TM6181 (138-lot Single-Family) TM6213 (9-lot Single-Family)

PROPOSAL AND ANALYSIS

<u>History</u>

Reorganization RO294, Rezone R2017-03, and Tract Map TM6181 were approved by the Planning Commission on November 16, 2017 allowing for the 138-lot subdivision within the Loma Vista Specific Plan area. The subdivision is located at the northeast corner of Shaw and Leonard Avenues. The rezone approval designated approximately 37.67 acres of land from the County AE-20 Zone District to the Clovis R-1 (Single-Family Residential – 6,000 sq.ft.) Zone District.

Tract Map TM6213 was approved by the Planning Commission on January 25, 2018 as the second phase for TM6181. The tract is located on the east side of Leonard Avenue, north of Shaw Avenue and is a 9-lot subdivision.

Variance Request

The applicant is requesting a variance to reduce the street side setback of lot 110 within TM6181. The subject property is a reverse corner lot with a side yard that abuts Corazon Avenue as shown on Figure 1, below. The subdivision is zoned R-1 (Single-Family) and is subject to the development standards of the zone district. The R-1 Zone District requires that reverse corner street side yard setbacks maintain a minimum of a 15-foot

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wide setback from property line. The applicant is requesting to reduce the 15-foot street side yard setback requirement to 10-feet for the subject property.

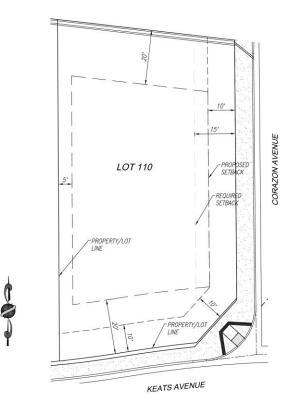


Figure 1: Lot 110

The purpose of the request is to prevent the subdivision from losing a lot which will affect the density. The 15-foot setback on the street side is not feasible for the placement of a single-family home. The model homes approved for this subdivision will not fit on this lot with the current setback requirement, therefore, the applicant is requesting this variance. Denial of this variance will compel the developer to remove the lot. In doing so, the density for the tract will decrease to the low density residential designation, not meeting the existing required medium density designation.

Below is a summary of the approved and proposed setbacks:

Approved Setbacks per R2017-03

Front: 20-feet

Rear: 20-feet

Sides: 5-feet

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Reverse Corner Side: 15-feet

Proposed Setbacks Variance V2018-02 (Lot 110)

(Modifications in Bold Italic)

Front: 20-feet

Rear: 20-feet

Sides: 5-feet

Reverse Corner Side: 10-feet

Reverse Corner Lots

Reverse corner lots are corner lots that have a rear yard that abuts the side yard of a key or interior lot (see Figure 2). The configuration of reverse corner lots affect the line-of-sight for the abutting-lot potentially when pulling out from driveways. The street side setback was established at 15-feet in order to alleviate any potential line-of-sight conflicts

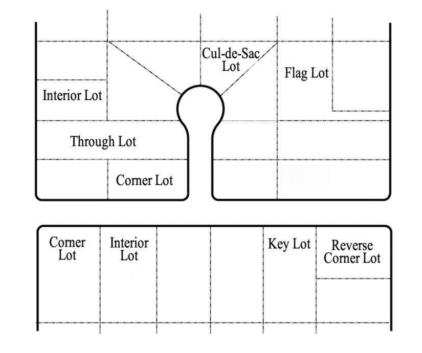


Figure 2: Reverse Corner Lot

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<u>Fencing</u>

Typically, fencing is placed on the property line. However, reverse corner lots require fencing to be placed outside of the street side yard setback. This requirement is to ensure that there is sufficient line-of-sight for the key lot. The applicant's proposal will provide for fence placement at the property line as with typical corner lot fence placement. Staff will require the applicant to provide a 5-foot corner cut-off for the street side-yard fencing of this property as shown in Figure 3. The location is shown on Figure 3A. This requirement is a condition of approval listed in Exhibit "A".

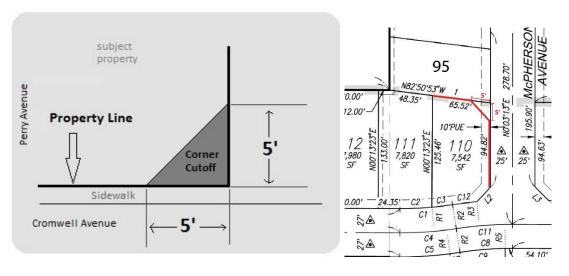


Figure 3: Corner Cutoff

Figure 3A: Location

Variance Findings

Under State law, four findings of fact must be considered in order to grant a variance to the development standards of any zone district.

Finding 1: There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other properties in the vicinity having the identical zoning classification.

Applicant's Statement: "We are required to meet the density and in order to not lose a lot we are requesting for the side yard setback to be reduced from 15' to 10'."

Staff Response: This variance request will allow the developer to comply with the density requirements of this subdivision. Staff supports the reduction of the street side yard setback with exception that the applicant provide a corner cut-off for the subject property. Finding 2: Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, a right that is possessed by other property owners under like conditions in the vicinity having identical zoning classification.

Applicant's Statement: "It's a typical variance requirement for lots that can't meet a 15' setback in a project that still needs to meet its density requirement."

Staff Response: A variance request is the right of any property owner within the City. In this case, the variance is required of the property in order maintain the number of lots within the subdivision and meet the density requirement of the subject area. Therefore, staff supports a reduction in the street side yard setback of the subject lot.

Finding 3: The granting of the variance will not be materially detrimental to the public welfare or injurious to property and improvements in the vicinity of which the property is located.

Applicant's Statement: "Correct. The variance request is to move the property line closer to the house to allow for the wider landscaping strip that can be irrigated by City NPW. This will allow for additional visual aesthetics for entrance."

Staff Response: The granting of this variance will not detract or detrimentally affect adjacent property owners or the general public welfare. The required corner cut-off will provide sufficient visual line of site for the key lot.

Finding 4: The granting of such variance will not be contrary to the objectives of the General Plan.

Applicant's Statement: "Because we're trying to maintain the objectives of the General Plan as this area is designated as medium density, we are requesting a reduced side yard setback of 5 feet to keep the desired density."

Staff Response: The subject lot is designated single-family residential. The objectives of the General Plan would not be compromised by the granting of this variance request.

Setbacks are to ensure provision of open areas around structures for: visibility and traffic safety; access to and around structures; access to natural light, ventilation, and direct sunlight; separation of incompatible land uses, and space for privacy and landscaping. Staff feels that reducing the required street side setback from 15-feet to 10-feet will not affect the listed provisions because the corner cut-off will address potential line-of-sight concerns..

California Environmental Quality Act (CEQA)

The Project is in substantial conformance with the environmental analysis performed for Prezone R2017-03, Vesting Tentative Tract Map TM6181 and Reorganization RO294. No major revisions will be required with the adopted Mitigated Negative Declaration to accommodate the proposed project, therefore, subject to California Government Code Sections 15162 and 15182 no further environmental review is required for this project.

The City published notice of this public hearing in *The Business Journal* on Wednesday, September 12, 2018.

Public Comments

A public notice was sent to area residents within 935 feet of the property boundaries. Staff has not received comments upon finalization of this report.

FISCAL IMPACT

None.

REASON FOR RECOMMENDATION

After evaluating this variance request subject to the "Findings of Fact," staff is able to support the request to reduce the street side yard setback of lot 110 in Tract 6181. This request will allow the developer to maintain compliance with the required density of the area.

This staff report and attachments provide the evidentiary support for the necessary findings for approval of a variance request. The findings to consider when making a decision on a variance application include:

- 1. The request does not constitute a use variance and is, therefore, within the scope of State Planning Law;
- 2. There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification.
- 3. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.
- 4. The granting of this variance will not be materially detrimental to the public welfare or injurious to property and improvements in the vicinity in which the property is located; and
- 5. The granting of such a variance will not be contrary to the objectives of the General Plan.

6. That, based upon the Initial Study and comments received; there is no substantial evidence that the project will have a significant effect on the environment.

ACTIONS FOLLOWING APPROVAL

None.

NOTICE OF HEARING

Property owners within 935 feet notified:	32
Interested individuals notified:	10

Prepared by:

Maria Spera, Planning Technician II

Reviewed by:

Bryan Araki City Planner

Planning Commission Report Variance V2018-02 September 27, 2018



FIGURE 1 PROJECT LOCATION MAP

Planning Commission Report Variance V2018-02 September 27, 2018

EXHIBIT "A" Conditions of Approval – V2018-02

Planning Division Conditions

(Maria Spera, Planning Technician II – (559) 324-2355)

- 1. The granting of this variance will allow for the reduction of the street side yard setback of lot 110 within Tract 6181 from 15-feet to 10-feet per attached Exhibit "B".
- 2. A minimum 5-foot corner cut-off shall be provided and maintained for the subject property.
- 3. Any further exceptions to the R-1 Zone District or the conditions of this variance shall require a separate variance action.
- 4. All conditions of R2017-03 and TM6181 are hereby made a part of this variance approval.

DRAFT RESOLUTION

DRAFT RESOLUTION 18-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING A VARIANCE TO REDUCE THE STREET SIDE SETBACK REQUIREMENTS OF THE R-1 (SINGLE FAMILY MEDIUM DENSITY) ZONE DISTRICT FOR LOT 110 OF TRACT 6181 LOCATED AT THE SOUTHEAST CORNER OF DAKOTA AND LEONARD AVENUES.

WHEREAS, Century Communities, 7815 N. Palm Avenue #101, Fresno, CA 93711, has applied for a variance V2018-02; and

WHEREAS, this is a request to approve a variance to the R-1 Zone District standards to reduce the street side setback requirements for lot 110 of Tract 6181 located at the northeast corner of Shaw and Leonard Avenues, in the City of Clovis, County of Fresno, California; and

WHEREAS, a public notice was sent out to area residents within 935 feet of said property boundaries ten days prior to said hearing; and

WHEREAS, a duly noticed hearing was held on September 27, 2018; and

WHEREAS, after hearing evidence gathered by itself and in its behalf, makes the following findings, namely:

- 1. That the request does not constitute a use variance and is, therefore, within the scope of State Planning law;
- 2. There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification.
- 3. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.
- 4. The granting of this variance will not be materially detrimental to the public welfare or injurious to property and improvements in the vicinity in which the property is located; and
- 5. The granting of such a variance will not be contrary to the objectives of the General Plan.

NOW, THEREFORE, BE IT RESOLVED that the Clovis Planning Commission does grant V2018-02, subject to the attached conditions labeled Exhibit "A".

The foregoing resolution was adopted by the Clovis Planning Commission at its regular meeting on September 27, 2018, upon a motion by Commissioner _____, seconded by Commissioner _____, and passed by the following vote, to wit:

AYES: NOES: ABSENT: ABSTAIN:

*

DATED: September 27, 2018

ATTEST:

Paul Hinkle, Chair

Dwight Kroll, AICP, Secretary

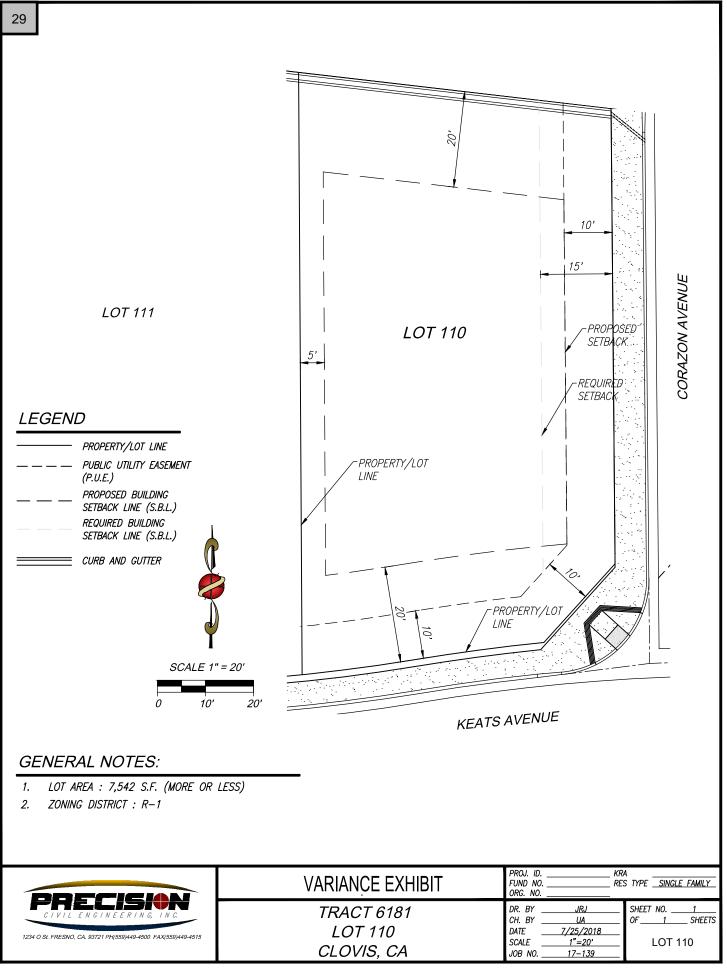


EXHIBIT B

P:\CIVIL

AGENDA ITEM NO: 4



CITY of CLOVIS

REPORT TO THE PLANNING COMMISSION

- TO: Clovis Planning Commission
- FROM: Planning and Development Services
- DATE: September 27, 2018
- SUBJECT: Consider items associated with approximately 18.13 acres of land located at the northeast corner of Ashlan and Locan Avenues. Peter G. & Laura L. Herzog Trs., Sonrise Baptist Church of Clovis CA, owners; Wilson Premier Homes, Inc., applicant; Harbour & Associates, representative.
 - a. Consider Approval, Res. 18-__, A request to approve an environmental finding of a Mitigated Negative Declaration for General Plan Amendment GPA2018-01, Rezone R2018-07 and Vesting Tentative Tract Map TM6225.
 - b. Consider Approval, Res. 18-__, GPA2018-01, A request to amend the General Plan and Loma Vista Specific Plan to redesignate approximately 11.37 acres of land from Public/Quasi-Public Facilities classification to Medium High Density Residential (7.1 to 15.0 DU/AC) classification.
 - c. Consider Approval, Res. 18-__, R2018-07, A request to approve a rezone of approximately 18.13 acres of land from the R-A (Single-Family Residential – 24,000 Sq. Ft.) Zone District to the R-1-PRD (Planned Residential Development) and P-F (Public Facilities) Zone Districts.
 - d. Consider Approval, Res. 18-__, **TM6225**, A request to approve a vesting tentative tract map for a 94-lot single-family planned residential development on approximately 11.37 acres of land.

ATTACHMENTS:	Figure 1: Exhibit "A:"	Location Map GPA2018-01 & R2018-07 Conditions of Approval		
	Exhibit "A-1:"	TM6225 Conditions of Approval		
	Attachment 1:	Initial Study & Mitigated Negative Declaration		
	Attachment 2:	Draft Resolutions		
	Attachment 3:	Applicant's Justification for GPA2018-01		
	Attachment 4:	Applicant's Development Standards		
	Attachment 5:	Correspondence from Commenting Agencies		
	Exhibit "B:"	Tentative Tract Map TM6225		
	Exhibit "C:"	Floor & Elevation Plans		

CONFLICT OF INTEREST

None.

RECOMMENDATION

Staff recommends that the Planning Commission:

- Approve an environmental finding of a Mitigated Negative Declaration for General Plan Amendment GPA2018-01, Rezone R2018-07 and Vesting Tentative Tract Map TM6225; and
- Approve GPA2018-01, subject to the conditions of approval listed as Exhibit "A;" and
- Approve Rezone R2018-07, subject to the conditions of approval listed as Exhibit "A;" and
- Approve Vesting Tentative Tract Map TM6225, subject to the conditions of approval listed as Exhibit "A-1;" and
- Make a finding of consistency that the dedication toward public right-of-way is proportionate to the development being requested.

EXECUTIVE SUMMARY

The applicant is requesting to amend the General Plan Land Use Diagram and Loma Vista Specific Plan Designations for approximately 11.37 acres of property at the northeast corner of Ashlan and Locan Avenues, from Public/Quasi-Public Facilities classification to Medium High Density Residential (7.1 to 15.0 DU/AC) and rezone approximately 18.13 acres from the R-A (Single-Family Residential – 24,000 Sq. Ft.) Zone District to the R-1-PRD (Planned Residential Development) and P-F (Public Facilities) Zone Districts. Additionally, the applicant is requesting a vesting tentative tract map approval for a 94-lot non-gated single-family planned residential development with private streets, increased lot coverage and reduced building setbacks. The applicant is proposing a Homeowner's

Association with this project. Approval of this Project would allow the developer to continue processing development drawings.

BACKGROUND

•	General Plan Designation:	Public/Quasi-Public Facilities	
•	Specific Plan Designation:	Loma Vista Specific Plan (Public/Quasi-Public Facilities)	
•	Existing Zoning:	R-A (Single Family Residential - 24,000 Sq. Ft.)	
٠	Lot Size:	18.13 acres	
•	Current Land Use:	Church with a sports field to the north and vacant land to the south.	
•	Adjacent Land Uses:	North: Single-Family Residential South: Single-Family Residential East: Single-Family Residential West: Rural Residential & Single-Family	
•	Previous Entitlements:	Residential GPA2013-01 (Quasi-Public to Commercial) R2013-02 (R-A to P-C-C) CUP2013-03 (125-Unit Senior Independent Living Facility)	

In December 2013, the City Council considered a development proposal on the vacant land directly south of the church site. The proposed General Plan Amendment, Rezone and Conditional Use Permit entitlements were associated with a 125-unit senior independent living facility with limited ancillary commercial uses. The commercial uses were primarily intended to serve the needs of the residents within the senior facility. The City Council voted unanimously to deny this project on December 16, 2013.

PROPOSAL AND ANALYSIS

General Plan Amendment

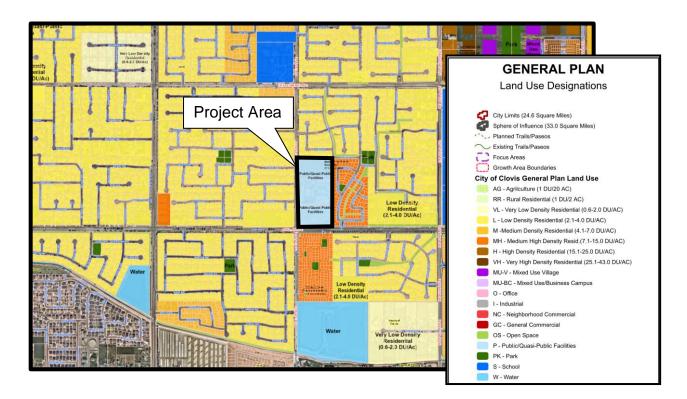
Proposal

The applicant is requesting to amend the General Plan Land Use Diagram and Loma Vista Specific Plan for an area currently designated as Public/Quasi-Public Facilities to the Medium-High Density Residential designation which permits a range of 7.1 to 15.0 units per acre. The land where the church building is located will maintain the land use designation of Public/Quasi-Public Facilities. A General Plan Amendment is a change in City policy and requires a compelling reason for change. The Applicant has provided a justification for the General Plan Amendment (see Attachment 3).

GPA2018-01, R2018-07 & TM6225 9/20/2018 3:24:53 PM

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This General Plan Amendment is accompanied with a specific project with a density of 8.53 units per acre. The request to re-designate to Medium High Density Residential is not unlike other past plan amendments within the Loma Vista Specific Plan Area. The requested land use designation of Medium-High Density Residential is similar to the project density within the "Braden Court" (McCaffrey Homes) single-family development located adjacent on the east side of the subject project (134 units at 9.86 units per acre). Additionally, "The Heights at Loma Vista" by McCaffrey Homes development (single-family) located directly to the south of the project site has a project density of 11.4 units per acre.



<u>Analysis</u>

The request to re-designate the two parcels from Public/Quasi-Public Facilities to Medium-High Density Residential is a compatible land use with adjacent residential developments. Staff's analysis of the proposed Medium High Density Residential land use considered the location of the site, its surroundings, and the environmental impacts associated.

This property is situated between Low Density Residential developments to the west and north, and Medium High Density Residential developments to the east and south. The applicant is requesting to construct a single-family detached planned residential development at a density of 8.53 units per acre with access from Locan Avenue. The proposed residential development will not have direct vehicle access to the residential neighborhoods to the north and east of the project site.

Due to the Project location and surroundings, the proposed change in land use is consistent with the intent of the General Plan to create a consistent design theme and mixture of housing types. Staff recommends the General Plan Amendment as a package with the condition that any residential development on the sites allow only single-family development product type. This condition is included in Exhibit "A."

Rezone

The applicant is requesting to rezone the Project site from the R-A (Single-Family Residential – 24,000 Sq. Ft. Min.) Zone District to the R-1-PRD (Single Family Planned Residential Development) and P-F (Public Facilities) Zone Districts. The project area's proposed re-designation to Medium High Density Residential (7.1 – 15.0 DU/AC) in both the General Plan Land Use Diagram and Loma Vista Specific Plan would be consistent with the proposed rezone.

Development Standards

The applicant is requesting approval of a non-gated detached single-family planned residential project with private streets and no interior sidewalks. In addition, the request includes reduced setbacks and increased lot coverage. The applicant is proposing a Homeowner's Association with this project.

The project will follow the standards of the R-1-PRD Zone District and the Planned Development Standards/ Guidelines. The Code permits the applicant to propose their own project specific setbacks and lot coverage standards. The applicant has provided a list of standards as follows (see Attachment 4):

<u>Setbacks</u> Rear	Front (Garage)	Front (house)	Garage Side	Corner Sti	reet Sides
Plan 1517 (Plan 1702 (Plan 1900 (Plan 1945 (Plan 2438 (Plan 2753 (one-story) 18' two-story) 18' two-story) 18' two-story) 18'	10' 10' 10' 10' 10' 10'	5' 5' 5' 5' 5'	7' 7' 7' 7' 7' 7'	5' 5' 5' 5' 5'
Lot Coverag Maximum H Minimum Lo Minimum P Minimum C	ge: leight:		60% Max 2-stories not to ex 2,812 square feet 38 feet 25 feet 41 feet		

GPA2018-01, R2018-07 & TM6225 9/20/2018 3:24:53 PM

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Minimum Cul-De-Sac Width:	25 feet
Minimum Parcel Depth:	74 feet
Corner Cut-Off Setback:	5 feet
Reversed Corner Street Side Setback:	7 feet
Reversed Corner Street Side Fence Setback:	3 feet
Corner Street Side Fence Setback:	3 feet
Interior Side Yard Setback (opposite from garage)	: 3 feet
Setback to Projections and/or Porch/ Patio:	9 feet
Garages:	20'x20' interior dimension (2-car)
	10'x16' interior dimension (1-car)

Per the PRD standards, 2-car garages shall have a minimum inside dimension of 20'x20' and 1-car garages shall have a minimum inside dimension of 10'x20'. The applicant may request reduced parking standards with the Planned Residential Development process. The Code allows the Planning Commission and City Council to reduce standards if the proposed parking meets the intent of the Code.

<u>Models</u>

The applicant is proposing two (2) one-story models and four (4) two-story models with three exterior options for each. The lot sizes range from 3,344 square feet to 7,162 square feet. The average lot size within TM6225 is 4,145 square feet.

Homeowners Association

The Project includes private streets and a pedestrian access at the northeast corner of the project site. The pedestrian access will connect to the existing paseo and allow the residents to access the neighborhood park for this quarter-section. A Homeowners Association (HOA) is also proposed to maintain the open space areas and provide enforcement for illegally parked vehicles.

Vesting Tentative Map

The project includes a Vesting Tentative Tract Map TM6225. The map includes 94 lots and is consistent with the requirements of the Subdivision Map Act.

Circulation and Lot Sizes

The project is accessible from four main entries along the Locan Avenue frontage. All vehicular access points will allow residents to exit the planned residential development at Locan Avenue. The project includes 37-foot wide private streets with no sidewalks.

Thematic Elements

Branding of the Loma Vista Specific Plan with specific elements is essential in creating a community and sense of place. Staff is looking to establish a "Craftsman" theme throughout this plan area, utilizing natural materials such as cobblestones, rocks, brick, and wood-like elements in subdivision entries, monuments, surface treatments for pedestrian crossings, median surface treatments, walls, fences, and architectural elements. Thematic lighting, benches, trash receptacles, walkway treatment, and drinking fountains have also been established for the Loma Vista Specific Plan Area. Exact number and locations of these items shall be reviewed during the residential site plan review process.

Sewer and Water Impact

The Project's impacts to water and sewer facilities were analyzed during the California Environmental Quality Act (CEQA) review. Provost and Pritchard provided a summary of water impacts and concluded that the City has capacity to serve and the infrastructure can accommodate the Project upon completion of the recommended connections. The City Engineer completed a sewer analysis and concluded that the City has capacity to accommodate the Project.

The project lies inside of the Fresno Irrigation District boundary and therefore eligible to utilize entitled surface water from the Kings River. However, this project will pay fees to acquire additional water supplies necessary for the project demands.

Amenities

Planned Residential Developments are required to provide a program of amenities in proportion to the request. In return for the reduced lot sizes, reduced setbacks, increased lot coverage, and non-standard garages, the applicant proposes to contribute a shade structure over playground equipment at the neighborhood park located within this quarter-section. Furthermore, the applicant will provide additional mature trees at the community gateway at the northeast corner of Ashlan and Locan Avenues. A pedestrian connection at the northeast corner of the tract will be constructed to provide connectivity to the existing paseo system.

Landscape Setbacks

The Loma Vista Specific Plan adopted specific street section designs for Arterial and Collector Streets. Ashlan Avenue is proposed to have a 30-foot landscape/pedestrian setback, with a 10-foot parkway, 10-foot sidewalk and 10-foot landscape setback. Additionally, Locan Avenue shall have a 20-foot landscape/pedestrian setback, with an 11-foot parkway, 5-foot sidewalk, and 4-foot landscape setback. The wall along the Ashlan and Locan Avenue frontages shall be a 6-foot split face masonry wall from the highest side.

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Specific locations and type of tree to be utilized along Ashlan Avenue and Locan Avenue shall be reviewed during the residential site plan review process.

Open Space and Trails

The Loma Vista Specific Plan included a paseo within the area of the quarter section, however was constructed from the internal neighborhood park through Braden Court east of the Project. The applicant is not proposing a paseo system within the Project area, however, the applicant will install and complete the paseo system along the Ashlan Avenue frontage between Braden Court and the intersection of Ashlan and Locan Avenues as part of their contribution.

<u>Park</u>

The applicant is required per the Loma Vista Specific Plan to contribute a proportionate share towards improvement of the neighborhood park. Each project within the quarter-section contributes a proportionate share either in land or improvements to develop the neighborhood park site at one-acre of park for each 1,000 residents assuming occupancy of 2.7 people per household. Using the formula mentioned above the applicant would be required to contribute 0.25 acres or 10,890 square feet toward the neighborhood park.

Residential Site Plan Review

The applicant will be required to submit a Residential Site Plan Review in order to allow staff to review models, landscaping, open space, architecture, elevations, amenities, and specific plot plans.

Neighborhood Meeting

Per City policy, the applicant held a neighborhood meeting on Wednesday, September 5, 2018 at the Clovis Memorial Building. Approximately five (5) residents were in attendance along with the Project team and City staff. There were positive comments raised which revolved around project design and product.

Public Comments

A public notice was sent to area residents within 800 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.

Community Facilities District

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The fiscal analysis of the Loma Vista Specific Plan identified possible long-term funding shortfalls in the Clovis' Citywide operating and maintenance costs. To address this issue the City of Clovis implemented a Community Facilities District. **Community Facilities** Districts (CFD's) are a means of providing additional funding for the provision of public facilities and services for public safety in newly developing areas of the community where the city would not otherwise be able to afford to continue to provide an adequate level of service as the City continues to grow. The use of CFD's is fairly common among cities in California experiencing high rates of growth, such as Clovis, due to significant losses of local revenue from tax shifts authorized by the State of California and the need to continue to provide an adequate level of service as growth occurs.

A condition of approval has been added to this tentative map requiring participation of this vesting tentative map in the CFD.

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.

- Orderly and sustainable outward growth into three Urban Centers with Goal 3: neighborhoods that provide a balanced mix of land uses and development types to support a community lifestyle and small town character.
- Policy 3.2 Individual development project. When projects are proposed in an Urban Center, require a conceptual master plan to show how a proposed project could relate to possible future development of adjacent and nearby properties. The conceptual master plan should generally cover about 160 acres or the adjacent area bounded by major arterials, canals, or other major geographical features. The conceptual master plan should address:
 - Α. Compliance with the comprehensive design document

- B. A consistent design theme
- C. A mix of housing types
- Adequate supply and distribution of neighborhood parks D.
- Ε. Safe and direct pedestrian and bicycle linkages between residential areas and school sites, parks, and community activity centers
- Policy 3.3 Completion of Loma Vista. The City prioritizes the completion of Loma Vista while allowing growth to proceed elsewhere in the Clovis Planning Area in accordance with agreements with the County of Fresno and LAFCo policies.
- Policy 3.5 Fiscal sustainability. The City shall require establishment of community facility districts, lighting and landscaping maintenance districts, special districts, and other special funding or financing tools in conjunction with or as a condition of development, building or permit approval, or annexation or sphere of influence amendments when necessary to ensure that new development is fiscally neutral or beneficial.
- Goal 6: A city that grows and develops in a manner that implements its vision, sustains the integrity of its guiding principles, and requires few and infrequent amendments to the General Plan.
- Policy 6.1: Amendment criteria. The City Council may approve amendments to the General Plan when the City Council is satisfied that the following conditions are met:
 - The proposed change is and will be fiscally neutral or positive.
 - The proposed change can be adequately served by public facilities and would not negatively impact service on existing development or the ability to service future development.

Policy 6.2 **Smart growth.** The city is committed to the following smart growth goals.

- Create a range of housing opportunities and choices.
- Create walkable neighborhoods.
- Foster distinctive, attractive communities with a strong sense of place.
- Mix land uses.
- Strengthen and direct development toward existing communities.
- Take advantage of compact building design.

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

Planning Commission Report

September 27, 2018

TM6225

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Planning Commission Report General Plan Amendment GPA2018-01, Rezone R2018-07 and Vesting Tentative Tract Map TM6225 September 27, 2018

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, September 5, 2018.

FISCAL IMPACT

None.

REASON FOR RECOMMENDATION

The proposal will provide a diversity in housing types and a quality residential environment for this area. The Project does not substantially impact sewer, water and other public services and will contribute to their proportionate share of infrastructure and open space. The proposed vesting tentative tract map is consistent with the goals and policies of the General Plan, Loma Vista Specific Plan and Development Code. Staff therefore recommends that the Planning Commission approve GPA2018-01, R2018-07 and TM6225, subject to the conditions of approval attached as Exhibit "A" and Exhibit "A-1."

The findings to consider when making a decision on a general plan amendment application include:

- 1. The proposed amendment is internally 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; and
- 3. If applicable, the parcel is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested/anticipated project.
- 4. There is a compelling reason for the amendment.

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)

The findings to consider when making a decision on a tentative subdivision map application are as follows:

- 1. The proposed map, subdivision design, and improvements are consistent with the General Plan and any applicable specific plan;
- 2. The site is physically suitable for the type and proposed density of development;
- 3. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
- 4. The design of the subdivision or type of improvements is not likely to cause serious public health or safety problems;
- 5. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. This finding may also be made if the review authority finds that alternate easements for access or use will be provided, and that they will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record, or to easements established by judgment of a court of competent jurisdiction, and no authority is hereby granted to the review authority to determine that the public at large has acquired easements of access through or use of property within the proposed subdivision;
- 6. The discharge of sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board;
- 7. The design of the subdivision provides, to the extent feasible, passive or natural heating and cooling opportunities; and
- 8. The proposed subdivision, its design, density, and type of development and improvements conform to the regulations of this Development Code and the regulations of any public agency having jurisdiction by law.

In light of court decisions, it is appropriate for the City to make findings of consistency between the required dedications and the proposed development. Every dedication condition needs to be evaluated to confirm that there is a rough proportionality, or that a required degree of connection exists between the dedication imposed and the proposed development. The City of Clovis has made a finding that the dedication of property for this project satisfies the development's proportionate contribution to the City's circulation system. The circulation system directly benefits the subject property by providing access and transportation routes that service the site. Further, the circulation system also enhances the property's value.

ACTIONS FOLLOWING APPROVAL

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

NOTICE OF HEARING

Property owners within 800 feet notified: 451 Interested individuals notified: 10

Prepared by:

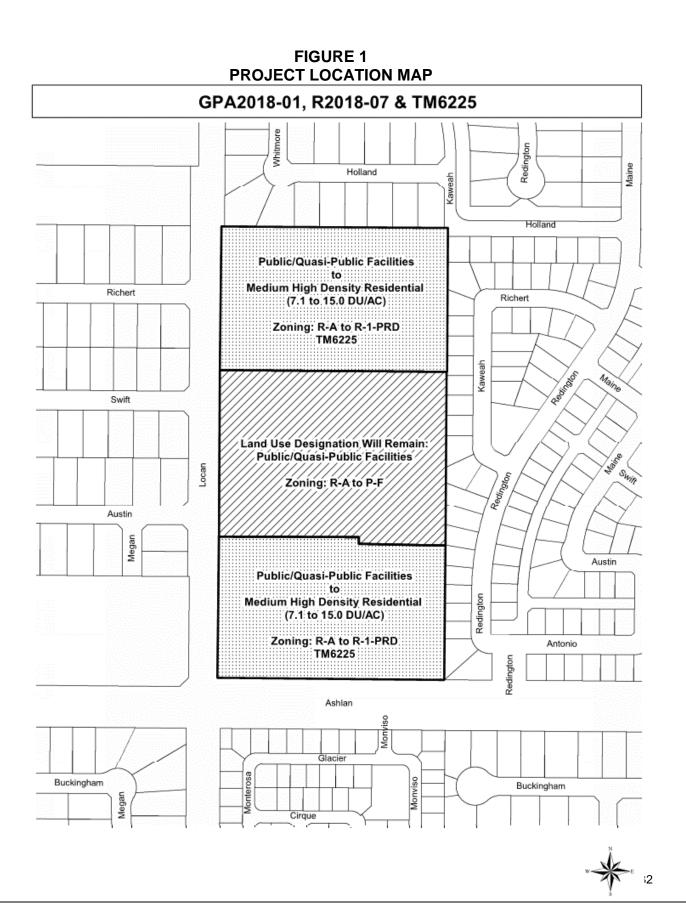
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George González, MPA, Associate Planner

Bryan Araki City Planner

Reviewed by:

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Planning Commission Report General Plan Amendment GPA2018-01, Rezone R2018-07 and Vesting Tentative Tract Map TM6225 September 27, 2018

EXHIBIT "A" Conditions of Approval – GPA2018-01 & R2018-07

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

- Development of the single-family planned residential development shall be consistent with the General Plan, Medium High Density Designation (7.1 – 15.0 DU/AC).
- 2. Development of these parcels shall be a single-family residential development consistent with R2018-07 and TM6225.
- 3. Rezone R2018-07 shall become effective only upon approval of General Plan Amendment GPA2018-01 by the City Council.
- 4. Rezone R2018-07 approves an R-1-PRD Zoning permitting the development of a single-family product. Density shall be consistent with the Loma Vista Specific Plan and not exceed 15.0 dwelling units per acre.
- 5. Rezone R2018-07 approves a P-F Zoning for the church site, consistent with the Public/Quasi-Public Facilities land use designation.
- 6. As an amenity for the Project, the developer shall contribute a shade structure over playground equipment at the neighborhood park located within this quarter-section. The applicant will provide additional mature trees at the community gateway at the northeast corner of Ashlan and Locan Avenues. A pedestrian connection at the northeast corner of the tract will be constructed to provide connectivity to the existing paseo system.
- 7. The applicant shall contribute a proportional share towards the development and improvement of a neighborhood park. The formula for park contribution is based on one acre of park for each 1,000 residents to be used for the acquisition and improvement of a neighborhood park facility. Contribution greater than this formula may be reimbursable.
- 8. All transformers shall be located underground. Pad mounted transformers may be considered through an Administrative Use Permit.
- 9. All landscaping (open space and private yards) shall conform with the City of Clovis Water Efficient Landscape Ordinance.

- 10. Maximum building (main structure) height shall not exceed thirty-five (35) feet.
- 11. Setbacks shall be measured to the exterior face of the framing of the structure. Exceptions to the setbacks are identified in §9.24.100, of the Clovis Development Code.
- 12. Maximum lot coverage is 60% for Vesting Tentative Tract Map TM6225.

EXHIBIT "A-1" Conditions of Approval – TM6225

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

13. This Project is subject to the development standards of the Loma Vista Specific Plan.

14. Setbacks shall be as follows:

<u>Setbacks</u>	Front (Garage)	Front (house)	Garage Side	Corner Street Sides
Rear			-	

Plan 1517 (one-story)	18'	10'	5'	7'	5'
Plan 1702 (one-story)	18'	10'	5'	7'	5'
Plan 1900 (two-story)	18'	10'	5'	7'	5'
Plan 1945 (two-story)	18'	10'	5'	7'	5'
Plan 2438 (two-story)	18'	10'	5'	7'	5'
Plan 2753 (two-story)	18'	10'	5'	7'	5'

Lot Coverage: Maximum Height: Minimum Lot Size: Minimum Parcel Width: Minimum Curved Parcel Width: Minimum Corner Parcel Width: Minimum Cul-De-Sac Width: Minimum Parcel Depth: Corner Cut-Off Setback: Reversed Corner Street Side Setback: Reversed Corner Street Side Fence Setback: Corner Street Side Fence Setback: Interior Side Yard Setback (opposite from garage Setback to Projections and/or Porch/ Patio:	60% Max 2-stories not to exceed 35 feet 2,812 square feet 38 feet 25 feet 41 feet 25 feet 74 feet 5 feet 7 feet 3 feet 3 feet 9 feet
Garages:	20'x20' interior dimension (2-
	car) 10'x16' interior dimension (1- car)

15. Each home shall provide a minimum of two covered parking spaces per unit in a garage with a minimum inside dimension of 20'x20'.

- 16. The project requires the submittal and approval of a residential site plan review. Specific amenities, models, color and materials of the models, garages, landscaping, walls, and fencing will be evaluated.
- 17. The developer shall provide a community gateway at the northeast corner of Ashlan and Locan Avenues per the attached Exhibit "B."
- 18. The developer shall construct a minimum six-foot high solid masonry wall adjacent to trails and open space (reduced wall heights in front setback areas). Specific material and colors will be reviewed during site plan review.
- 19. The implementation of the "Craftsman" thematic elements, residential design guidelines and standards, design of landscaped areas and of walls and fences and street improvements, shall be reviewed during a residential site plan review application to be submitted for approval prior to the plan check phase.
- 20. The applicant shall contribute a proportionate share towards the development of a "paseo" system in this quarter section as required by the General Plan land use diagram.
- 21. The applicant shall contribute a proportional share towards the development and improvement of a neighborhood park. The formula for park contribution is based on one acre of park for each 1,000 residents to be used for the acquisition and improvement of a neighborhood park facility. Contribution greater than this formula may be reimbursable.
- 22. The specific locations and type of trees to be utilized along the Ashlan and Locan frontages shall be reviewed during the landscape review committee process.
- 23. All transformers shall be located underground. Pad mounted transformers may be considered through an Administrative Use Permit.
- 24. This tentative map is approved per the attached Exhibit "B" of this report.
- 25. The developer shall construct 45 degree angle walls at the tract entrance.
- 26. All landscaping (open space and private yards) shall conform with the City of Clovis Water Efficient Landscape Ordinance.
- 27. Maximum building (main structure) height shall not exceed thirty-five (35) feet.

- 28. The developer shall construct a minimum six-foot high solid split face masonry wall along the Ashlan Avenue and Locan Avenue frontages.
- 29. Setbacks shall be measured to the exterior face of the framing of the structure. Exceptions to the setbacks are identified in §9.24.100, of the Clovis Development Code.
- 30. Ashlan Avenue shall have a 30-foot landscape/pedestrian setback, with an 10foot parkway, 10-foot sidewalk, and 10-foot landscape setback.
- 31.Locan Avenue shall have a 20-foot landscape/pedestrian setback, with a 11foot parkway, 5-foot sidewalk, and 4-foot landscape setback.
- 32. The applicant shall obtain City approval in advance of temporary and permanent subdivision signs through separate sign review, consistent with the development criteria of the Clovis Municipal Code Sign Ordinance.
- 33. All signs, both on-site and off-site shall comply with the Subdivision Sign Section of the Clovis Development Code.
- 34. Maximum lot coverage is 60% for Vesting Tentative Tract Map TM6225.
- 35. Upon final recordation of this tentative tract map, it shall be the applicant's responsibility to furnish to the Planning Department an electronic (PDF) copy of the original map obtained from the Fresno County Recorder's Office.
- 36. The applicant shall relay all conditions of approval for Tentative Tract Map TM6225 to all subsequent purchasers of individual lots, if applicable, and/or to subsequent purchasers of this entire tract map development.
- 37. The applicant shall record a Notice of Nonconformance dealing with any structure used for model homes where the garage is converted for the use as a sales office.
- 38. Paseo Development Standards:
 - Paseos shall have a minimum paved width of 10';
 - Intersections between paseos and streets should be limited to minimize potential for collisions;
 - Paseos shall be designed to maximize "defensible space";

- Paseos will be designed and constructed to permit emergency police vehicle traffic;
- Street side paseos (parallel to and accessible from local residential streets) shall have a minimum width of 30';
- Connecting paseos (between the side or rear of residential lots between streets) shall;
 - Have a minimum width of 30';
 - Utilize portions of private property side yard setbacks to increase visual width to 40';
- Side yard property line walls shall be held to no more than 3 feet in height for at least ½ the depth of the home. The Director of Planning and Development Services may make specific modifications to this requirement at the site plan review phase;
- Paseo walkway shall meander allowing for shade trees on both sides of the paseo;
- Standard paseo post lighting may be substituted by approved bollard lights;
- Be entirely viewable from a public street;
- Not extend more than 300' from any public street unless directly viewable from adjacent residential lots;
- No utilities shall be permitted in the paseo or open space areas unless approved by the Director of Planning and Development Services.
- 39. The developer shall comply with all mitigation measures as identified in the adopted mitigation monitoring program for this tentative tract map.
 - 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-a A pre-construction burrowing owl survey should be conducted no more than 30 days prior to any site disturbance (clearing or grubbing, grading, etc.). If the burrows are verified by a biologist to be not occupied, then the burrow should be filled/collapsed to prevent

occupation before construction. If burrowing owl occupation (overwintering) is identified, then coordination with the California Department of Fish and Wildlife should be initiated to determine whether passive relocation can be performed.

No construction work can begin within 100 feet of any occupied nest and ESA fencing should be installed to prevent accidental disturbance until such time as coordination with the CDFW is completed. If construction is to begin during the nesting period for the burrowing owl, and an occupied burrow is found, coordination with the CDFW would likewise be required to determine whether passive relocation is an option. Disturbance of the nest could not occur until any young have fledged and the burrow is vacated (either through passive relocation or voluntarily by the owl).

The project is not expected to create any significant impacts to biological resources with the inclusion of a mitigation measure.

 3.16-a The project will require the construction of a 2-foot wide raised median (approximately 190 feet in length measured from the crosswalk) on Locan Avenue north of Ashlan Avenue.

POLICE DEPARTMENT CONDITIONS (Curt Shurtliff, Department Representative - 324-2400)

- 40. Construction work shall be limited to the hours set forth in the Clovis Municipal Code. (CMC § 5.18.15.)
- 41. 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).)
- 42. Emergency phone numbers for responsible parties shall be kept current during the building phase of the project.
- 43. 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)

44. **Street Width:** Fire apparatus access width shall be determined by measuring from "base of curb" to "base of curb" for roadways that have curbs. When roadways do not have curbs, the measurements shall be from the edge of the roadway surface (approved all weather surface).

- 45. *Street Width for Single Family Residences:* Shall comply with Clovis Fire Standard #1.1.
- 46. *Turning Radius:* All access way roads constructed shall be designed with a minimum outside turning radius of forty-five feet (45').
- 47. *Temporary Street Signs:* The applicant shall install temporary street signs that meet City Temporary Street Sign Standard #1.9 prior to issuance of building permits within a subdivision.
- 48. *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.
- 49. **Conceptual Plans Submitted:** The applicant shall provide conceptual plans for the development of adjoining property and road system.
- 50. **Residential Fire Hydrant:** The applicant shall install _8_ 4 ¹/₂" x 2 ¹/₂" approved Residential Type fire 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 homes.
- 51. 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.

<u>CLOVIS UNIFIED SCHOOL DISTRICT CONDITIONS</u> (Michael Johnston, CUSD Representative – 559-327-9000)

52. The development of this project is subject to the Clovis Unified School District impact fee. See the attached letter.

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

53. 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)

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

<u>COUNTY OF FRESNO COMMENTS</u> (Steve Farmer, County of Fresno Representative - 488-2892)

55. 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.

ENGINEERING / UTILITIES / SOLID WASTE DIVISION CONDITIONS (Sean Smith, Engineering Division Representative – 324-2363) (Paul Armendariz, Department Representative – 324-2649) (Scott Redelfs, Solid Waste Division Representative – 324-2648)

Maps and Plans

- 56. The applicant shall have a final tract map prepared, in the form prescribed by the Subdivision Map Act and City of Clovis Municipal Code. The final tract map shall be submitted to the City of Clovis Engineering Division, and should include, but not be limited to, final tract map, the current filing fee, closure calculations, current preliminary title report, legal descriptions and drawings of required dedications.
- 57. The applicant shall submit to the City of Clovis Engineering Division, a set of construction plans on 24" x 36" sheets with City standard title block for all required improvements. These plans shall be prepared by a registered civil engineer, and shall include a site grading and drainage plan and an overall site utility plan showing locations and sizes of sewer, water, irrigation, and storm drain mains, laterals, manholes, meters, valves, hydrants, other facilities, etc. Plan check and inspection fees per City of Clovis Resolution No. 03-152 shall be paid with the first submittal of said plans. All plans shall be approved by the City and all other involved agencies prior to the release of any development permits.
- 58. Prior to the initial submittal of the improvement plans, the applicant shall contact Sean Smith at (559) 324-2363 to setup a coordination meeting (Pre-submittal Meeting).

59. Upon approval of improvement plans, the applicant shall provide the City with the appropriate number of copies. After all improvements have been constructed and accepted by the City, the applicant shall submit to the City of Clovis Engineering Division one bond copy of the approved set of construction plans revised to accurately reflect all field conditions and revisions and marked "AS-BUILT" for review and approval. Upon approval of the AS-BUILTs by the City the applicant shall provide (1) digital copy to the City in PDF format.

<u>General</u>

- 60. Applicant shall pay all applicable development fees at the rate in effect at the time of payment and prior to final map approval by Council or have the fees payable directly to the City through a separate escrow account at the time of recordation of the map.
- 61. For any sewer or water main, or undergrounding of utilities, or major street to be installed by the applicant and eligible for reimbursement from future developments, the applicant shall submit to the City of Clovis, all reimbursement requests in accordance with the current version of the "Developer Reimbursement Procedures"; a copy can be obtained at the City Engineer's Office.
- 62. The applicant shall submit a soils report or a waiver of soils report to the City of Clovis Engineering Division for approval by the City Engineer.
- 63. The applicant shall address all the requirements of the local utility, telephone, and cable companies. It shall be the responsibility of the applicant to notify the local utility, telephone, and cable companies for the removal or relocation of utility poles where necessary. The City shall not accept first submittals without proof that the applicant has provided the improvement plans and documents showing all proposed work to the utility, telephone, and cable companies. All utility vaults in which lids cannot be sloped to match proposed finished grading, local utilities have 5% max slope, shall be located in sidewalk areas with pedestrian lids so the lid slope matches sidewalk cross slope.
- 64. The applicant shall contact and address all requirements of the United States Postal Service - Clovis Office for the location and type of mailboxes to be installed. The location of the facilities shall be approved by the City Engineer prior to approval of improvement plans or any construction.
- 65. The applicant shall contact and address Caltrans requirements.

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- 66. The applicant shall address all conditions, and be responsible for obtaining encroachment permits from the City of Clovis for all work performed within the City's right-of-way and easements.
- 67. The applicant shall install all improvements within public right-of-way and easements in accordance with the City of Clovis standards, specifications, master plans, and record drawings in effect at the time of improvement plan approval.
- 68. All existing overhead and new utility facilities located on-site, within alleys, or within the street right-of-way along the streets adjacent to this tract shall be undergrounded unless otherwise approved by the City Engineer.

Dedications and Street Improvements

- 69. The applicant shall provide right-of-way acquisition or dedicate free and clear of all encumbrances and/or improve the following streets to City standards. The street improvements shall be in accordance with the City's specific plans and shall match existing improvements. The applicant's engineer shall be responsible for verifying the type, location, and grades of existing improvements.
- 70. Locan Avenue North of Sonrise Church, provide right-of-way acquisition for 52' (exist 42') east of the centerline and improve with curb, gutter, sidewalk, curb return ramps, street lights, landscaping, irrigation, permanent paving and overlay as necessary to match the existing permanent pavement, and all transitional paving as required.
- 71.Locan Avenue Along Sonrise Church, improve with curb, gutter, sidewalk, drive approach, and irrigation, landscaping, permanent paving and overlay as necessary to match the existing permanent pavement, and all transitional paving as required.
- 72. Locan Avenue South of Sonrise Church, improve with curb, gutter, sidewalk, curb return ramps, street lights, landscaping, irrigation, permanent paving and overlay as necessary to match the existing permanent pavement, and all transitional paving as required.
- 73. Ashlan Avenue Improve with sidewalk, curb return ramps, street lights, landscaping, irrigation,
- 74. Interior streets dedicate to provide for 54' right-of-way and improve with curb, gutter, sidewalk, drive approaches, curb return ramps, streetlights, 36' permanent paving except in cul de sac, and all transitional paving as needed.

- 75. If the applicant chooses the Narrow Residential Street Policy, the applicant shall dedicate to provide for 50' right-of-way and improve with curb, gutter, sidewalk, drive approaches, curb return ramps, streetlights, 32' permanent paving except in cul de sac, and all transitional paving as needed. The maximum distance for a narrow 50' wide street is 1000' to 54' wide or wider street.
- 76. If interior streets are to be private, the applicant shall provide for two-way traffic with no parking on both sides the minimum travel width shall be 25' with a clear width of 30', for two-way traffic with parking on one side the minimum travel width shall be 32', and for two-way traffic with parking on both sides the minimum travel width shall be 36'.
- 77. The applicant shall relinquish all vehicular access to Ashlan and Locan Avenues for all the lots siding and backing onto these streets.
- 78. The applicant shall remove and replace all broken or damaged concrete improvements as necessary.
- 79. Applicant shall provide a dedication for a 10' public utility easement, where applicable, along all frontages or alternate widths approved by the utilities companies.
- 80. Applicant shall provide preliminary title report, legal description and drawings for all dedications required which are not on the site. All contact with owners, appraisers, etc. of the adjacent properties where dedication is needed shall be made only by the City. The City will prepare an estimate of acquisition costs including but not limited to appraised value, appraisal costs, legal costs, negotiation costs, and administrative costs. The applicant shall pay such estimated costs as soon as they are determined by the City.
- 81. The sideyard side of all corner lots shall have full width sidewalk except where planter strips or meandering sidewalk is proposed.
- 82. The applicant shall obtain "R Value" tests in quantity sufficient to represent all street areas, and have street structural sections designed by a registered civil engineer based on these "R Value" tests.

<u>Sewer</u>

83. The applicant shall identify and abandon all septic systems to City standards.

- 84. The applicant shall install sanitary sewer mains of the size and in the locations indicated below, prior to occupancy. The sewer improvements shall be in accordance with the City's master plans and shall match existing improvements. The applicant's engineer shall be responsible for verifying the size, location, and elevations of existing improvements. Any alternative routing of the mains will require approval of the City Engineer and must be supported by appropriate calculations.
- Interior streets install 8" mains.
- 85. The applicant shall install one (I) 4" sewer service house branch to each lot within the tentative tract.

<u>Water</u>

- 86. The applicant shall identify and abandon all water wells to City standards.
- 87. The applicant shall install water mains of the sizes and in the locations indicated below, and provide an adequately looped water system prior to occupancy. The water improvements shall be in accordance with the City's master plans and shall match existing improvements. The applicant's engineer shall be responsible for verifying the size, location, and elevations of existing improvements. Any alternative routing of the mains will require approval of the City Engineer and must be supported by appropriate calculations.
- Interior streets install 8" mains.
- 88. The applicant shall provide dedication of 15-foot wide utility easements for all on-site water mains, hydrants, blow-offs, and water meters not located in otherwise dedicated rights-of-way.
- 89. The applicant shall relocate the existing water main that is located within the proposed lots, abandon the associated 15' wide utility easement, and provide a looped water main for Sonrise Church.
- 90. Onsite water mains that are required to be relocated shall have the locations approved by the City engineer.
- 91. Any utilities located in a previously dedicated right-of-way shall be relocated in a 15' wide utility easement. Any easement that is no longer in use shall be abandoned.
- 92. The applicant shall install a City standard water service to each lot of the proposed subdivision. Water services shall be grouped at property lines to

accommodate automatic meter reading system, including installation of connecting conduit.

93. Prior to recording a final map of any phase, the applicant shall demonstrate to the satisfaction of the City Fire Chief and City Engineer that there is adequate water pressure to serve the units to be constructed. The applicant shall work with the City Engineer to determine the adequacy of water supply/pressure for the proposed development.

Recycled Water

- 94. The applicant shall install recycled water mains of the sizes and in the locations indicated below. The recycled water improvements shall be in accordance with the City's master plans and shall match existing improvements. All areas utilizing recycle water for irrigation shall be clearly marked on the improvement plans. The applicant's engineer shall be responsible for verifying the size, location, and elevations of existing improvements. Any alternative routing of the mains will require approval of the City Engineer and may require appropriate calculations.
- Locan Avenue install 8" main along the property frontage.

Grading and Drainage

- 95. The applicant shall contact the Fresno Metropolitan Flood Control District (FMFCD) and address all requirements, pay all applicable fees required, obtain any required NPDES permit, and implement Best Available Technology Economically Achievable and Best Conventional Pollutant Control Technology to reduce or eliminate storm water pollution. Plans for these requirements shall be included in the previously required set of construction plans, and shall be submitted to and approved by FMFCD prior to the release of any development permits.
- 96. Grade differentials between lots and adjacent properties shall be adequately shown on the grading plan and shall be treated in a manner in conformance with City of Clovis Standard Drawing No. M-4 as modified by the City Council. Any retaining walls required on-site or in public right of way shall be masonry construction. All retaining walls shall be designed by a registered civil engineer.

Irrigation and Landscaping Facilities

97. The applicant, as a portion of the required tract improvements, shall provide landscaping and irrigation as required herein. The landscaping and irrigation

shall be installed in public right-of-way and the area reserved for landscaping. The irrigation and landscape improvements shall be in accordance with the City's master plans and shall match existing improvements. The applicant's engineer shall be responsible for verifying the size, location, and elevations of existing improvements. Plans for the required landscaping and irrigation systems shall be prepared by an appropriately registered professional at the applicant's expense and shall be approved by the City of Clovis Planning and Development Services Department and Public Utilities Department prior to the beginning of construction or the recording of the final tract map, whichever occurs first. Landscape and irrigation facilities that the City Landscape Maintenance District shall maintain: the landscape strips along Ashlan and Locan Avenues, and the median islands in Ashlan Avenue. The landscape strip around the planned unit development may be maintained by a perpetual maintenance covenant.

- 98. All landscape improvements shall be installed, accepted for maintenance by the City prior to issuance of 40% of the Tract's building permits. If the landscape improvements are not constructed for any reason within two (2) years of the recordation of the final map of Tract, the City shall have the right to request from surety and receive upon City's demand, sufficient funding to complete the construction of improvements. The two year period may be extended at City's sole option and discretion and upon such conditions as City shall determine.
- 99. The owner shall request annexation to and provide a covenant for the Landscape Maintenance District. The property owner acknowledges and agrees that such request serves as a petition pursuant to California State Proposition 218 and no further election will be required for the establishment of the initial assessment. The assessment for each lot must be obtained from the City for the tax year following the recordation of the final map. The estimated annual assessment per average sized lot is \$431.00, which is subject to change prior to issuance of building permit or final tract map approval and is subject to an annual change in the range of the assessment in the amount of the Consumer Price Index, U.S. City Average, All Urban Consumers (CPI Index), plus two percent (2%). The owner/developer shall notify all potential lot buyers before they actually purchase a lot that this tract is a part of a Landscape Maintenance District and shall inform potential buyers of the assessment amount. Said notification shall be in a manner approved by the City. The owner/developer shall supply all pertinent materials for the Landscape Maintenance District.
- 100. The applicant shall comply with the City of Clovis Water Efficient Landscape Requirements Ordinance.

- 101. The applicant shall contact and address all requirements of the Fresno Irrigation District (FID). This may include dedicating easements, piping or relocating any existing FID canals and ditches, replacing any existing irrigation piping, concrete lining or improving any existing canals, construction or reconstruction of any canals, culverts, and bridge crossings. Plans for these requirements and improvements shall be included as in the previously required set of construction plans, and shall be submitted to and approved by FID prior to the release of any development permits or recording of the final tract map. If a FID or private irrigation line is to be abandoned, the applicant shall provide waivers from all downstream users.
- 102. The applicant shall indicate on construction drawings the depth, location and type of material of any existing Fresno Irrigation District's irrigation line along the proposed or existing street rights-of-way or onsite. Any existing canals shall be piped. The material of the existing pipe shall be upgraded to the proper class of rubber gasket pipe at all locations unless otherwise approved by the City Engineer.
- 103. All existing agricultural irrigation systems either on-site or in public right of way, whether FID or privately owned, shall be identified prior to any construction activity on the site. Service to all downstream users of irrigation water shall be maintained at all times through preservation of existing facilities or, if the existing facilities are required to be relocated, the relocation and replacement of the existing facilities. It is the intent that downstream users not bear any burden as a result of development of the site. Therefore, the applicant shall pay all costs related to modification, relocation, or repair of any existing irrigation facilities resulting from or necessitated by the development of the site. The applicant shall identify on site plans and construction plans, all existing irrigation systems and their disposition (abandonment, repair, The applicant shall consult with the Fresno relocation, and/or piping). Irrigation District for any additional requirements for lines to be abandoned, relocated, or piped. The applicant shall provide waivers from all users in order to abandon or modify any irrigation pipelines or for any service interruptions resulting from development activities.
- 104. The applicant shall provide a landscape and irrigation perpetual maintenance covenant recorded for landscaping installed in the public right-of-way behind the curb including easements that will not be maintained by the Clovis Landscape Maintenance District. A recordable covenant must be submitted to and approved by the City of Clovis City Engineer prior to final map approval.
- 105. The applicant shall provide a perimeter wall perpetual maintenance covenant on all properties that have a perimeter wall that is installed on private

property. A recordable covenant must be submitted to and approved by the City of Clovis City Engineer prior to final map approval.

<u>Miscellaneous</u>

- 106. The applicant shall install street lights on metal poles to local utility provider's standards at the locations designated by the City Engineer. Street light locations shall be shown on the utility plans submitted with the final map for approval. Street lights shall be owned and maintained by local utility providers. Proof of local utility provider's approval shall be provided.
- 107. The applicant shall install all major street monumentation and section corner monumentation within the limits of the project work in accordance with City Standard ST-32 prior to final acceptance of the project. Monumentation shall include all section corners, all street centerline intersection points, angle points and beginning and end of curves (E.C.'s & B.C.'s). The applicant/contractor shall furnish brass caps. Any existing section corner or property corner monuments damaged by this development shall be reset to the satisfaction of the City Engineer. A licensed land surveyor or civil engineer licensed to perform land surveying shall certify the placement of all required monumentation prior to final acceptance. Brass caps required for installation of new monuments or replacement of existing monuments shall be provided by the contractor/applicant and approved by City prior to installation. Within five days after the final setting of all monuments has been completed, the engineer or surveyor shall give written notice to the City Engineer that the final monuments have been set. Upon payment to the engineer or surveyor for setting the final monuments, the applicant shall present to the City Engineer evidence of the payment and receipt thereof by the engineer or surveyor.
- 108. A deferment, modification, or waiver of any engineering conditions will require the express written approval of the City Engineer.
- 109. The conditions given herein are for the entire development. Additional requirements for individual phases may be necessary pending review by the City Engineer.

Administration Department Conditions

(John Holt, Department Representative – (559) 324-2111)

110. Prior to approval, recordation or filing of an annexation, final map, or site plan, the property covered by the project shall be included within or annexed to a Community Facilities District (CFD), established by the City for the provision of public facilities and services, for which proceedings have been consummated, and shall be subject to the special tax approved with the

formation or annexation to the CFD. The CFD applies only to residential projects.

- 111. The applicant and the property owner acknowledge and agree that if the project were not part of a CFD, the City might lack the financial resources to operate facilities and provide public services, such as police protection, fire protection, emergency medical services, park and recreation services, street maintenance and public transit. Absent the requirement for inclusion of the project within a CFD, the City might not be able to make the finding that the project is consistent with the General Plan and relevant specific plans and might not be able to make the findings supporting approval of the project as required by the Subdivision Map Act and the California Environmental Quality Act, and the City might be required to deny the application for the project.
- 112. The owner/developer shall notify all potential lot buyers prior to sale that this project is a part of a Community Facilities District and shall inform potential buyers of the special tax amount. Said notification shall be in a manner approved by the City. This requirement may be waived at the discretion of the City Council if, at the time of the approval, recordation or filing of the project, the City Council has determined that it is not necessary that the project be included in the CFD.
- 113. The applicants shall reimburse the City for any expense associated with the transition agreement for fire services with the Fresno County Fire Protection District that would apply to this proposal.

GENERAL PLAN AMENDMENT GPA2018-01 REZONE R2018-07 TENTATIVE TRACT MAP TM6225

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

PREPARED BY:





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

August 2018

ATTACHMENT 1



CITY of CLOVIS

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, September 27, 2018, 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 item:

- 1. Consider items associated with approximately 18.13 acres of land located at the northeast corner of Ashlan and Locan Avenues. Peter G. & Laura L. Herzog Trs., Sonrise Baptist Church of Clovis CA, owners; Wilson Premier Homes, Inc., applicant; Harbour & Associates, representative.
 - a. GPA2018-01, A request to amend the General Plan and Loma Vista Specific Plan to redesignate approximately 11.37 acres of land from Public/Quasi-Public Facilities classification to Medium High Density Residential (7.1 to 15.0 DU/AC) classification.
 - b. R2018-07, A request to approve a rezone of approximately 18.13 acres of land from the R-A (Single-Family Residential 24,000 Sq. Ft.) Zone District to the R-1-PRD (Planned Residential Development) and P-F (Public Facilities) Zone Districts.
 - c. TM6225, A request to approve a vesting tentative tract map for a 94-lot single-family planned residential development on approximately 11.37 acres of land.

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 September 27, 2018, and/or to appear at the hearing described above to present testimony in regard to the above listed requests. Questions regarding this item should be directed to George Gonzalez, Associate Planner at (559) 324-2383 or email at <u>georgeg@cityofclovis.com</u>.

If you would like to view the Planning Commission Agenda and Staff Reports, please visit the City of Clovis Website at <u>www.cityofclovis.com</u>. 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.

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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, September 5, 2018, *The Business Journal*



CITY of CLOVIS

PLANNING & DEVELOPMENT 1033 FIFTH STREET · CLOVIS, CA 93612

For County Clerk Stamp

DRAFT MITIGATED NEGATIVE DECLARATION

Proposed: August 31, 2018

Agency File No: GPA2018-01, R2018-07 & TM6225

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: General Plan Amendment GPA2018-01, Rezone R2018-07 & Vesting Tentative Tract Map TM6225.

Project Location: Northeast corner of Ashlan and Locan Avenues in the City of Clovis, CA.

Project Description: Consider items associated with approximately 18.13 acres of land located at the northeast corner of Ashlan and Locan Avenues. Sonrise Baptist Church of Clovis, and Peter G. and Laura L. Herzog, Trustees, owners; Wilson Premier Homes, Inc., applicant; Harbour & Associates, representative.

- a. GPA2018-01, A request to amend the General Plan and Loma Vista Specific Plan to re-designate approximately 11.37 acres of land from Public/Quasi-Public Facilities classification to Medium High Density Residential (7.1 to 15.0 DU/AC) classification.
- R2018-07, A request to approve a rezone of approximately 18.13 acres of land from the R-A (Single Family Residential 24,000 Sq. Ft.) Zone District to the R-1-PRD (Planned Residential Development) and P-F (Public Facilities) Zone Districts.
- c. TM6225, A request to approve a vesting tentative tract map for a 94-lot single-family planned residential development on approximately 11.37 acres of land.

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 rare 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, Associate Planner

Phone: (559) 324-2383

Signature: _____

Date: August 31, 2018

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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.
- Loma Vista Specific Plan. The Loma Vista Specific Plan provides a description of the project area setting, and sets forth a plan for the development of the specific plan planning area, of which the current project area is part.
- 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 <u>http://www.valleyair.org/rules/1ruleslist.htm#reg8</u>. A printed copy may be obtained at the District's Central Region offices at 1990 E. Gettysburg Ave., Fresno, CA 93726.
- Water Assessment from Provost and Pritchard, August 28, 2018, An evaluation of impacts related to water resources.
- **Biological Assessment from Argonaut Ecological Consulting, Inc.,** July, 2018, An evaluation of biological impacts.
- Cultural Resource Assessment from Peak & Associates, Inc., dated July 2, 2018, An evaluation of cultural resources.
- Air Quality & Greenhouse Gas Analysis Report from Mitchell Air Quality Consulting, June 28, 2018, An evaluation of the impacts related to Air Quality & Green House Gas.
- City of Clovis Wastewater Collection System Master Plan Modification Review, July 16, 2018, An evaluation of impacts to the Master Sewer Collection System.
- **Traffic Impact Study** by JLB Traffic Engineering, Inc. for TM6225, Dated August 27, 2018, An evaluation of potential difference in traffic generation between the existing general plan land use and the proposed land use.
- Fresno Metropolitan Flood Control District Letter, July 12, 2018, A letter from the District stating that their facilities can accommodate the project.
- Fresno Metropolitan Flood Control District Notice of Requirements, July 12, 2018, An evaluation of project impacts on FMFCD facilities.
- San Joaquin Valley Air Pollution Control District Letter, June 13, 2018, An evaluation of project impact to air quality.
- Clovis Unified School District Letter, June 11, 2018, An evaluation of project impact to

school facilities.

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 than 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 be 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."

2.1 Project Description

The project consists of a request to approve a general plan amendment, rezone and vesting tentative tract map on approximately 18.13 acres of land located at the northeast corner of Ashlan and Locan Avenues in the City of Clovis. The request includes acquisition of right-of-way along the corridor of Locan Avenue and providing connectivity to City services when available. Furthermore, the project includes the Fresno Metropolitan Flood Control District and San Joaquin Valley Air Pollution Control District as responsible agencies.

General Plan Amendment GPA2018-01 is requesting to amend the General Plan and Loma Vista Specific Plan to re-designate approximately 11.37 acres of land from Public/Quasi-Public Facilities classification to Medium High Density Residential (7.1 to 15.0 DU/AC) classification. The Church site will maintain the land use designation of Public/Quasi-Public Facilities.

Rezone R2018-07 is rezoning approximately 18.13 acres from the R-A (Single Family Residential – 24,000 Sq. Ft.) Zone District to the R-1-PRD (Planned Residential Development) and P-F (Public Facilities) Zone Districts.

Vesting Tentative Tract Map TM6225 includes a 94-lot single-family planned residential development with private streets on approximately 11.37 acres of land.

The project also includes demolition of structures, grading, improvement of streets, and infrastructure to accommodate the tentative map.

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 northeast corner of Ashlan and Locan Avenues (see Figure 2).



Figure 1 - Regional Location

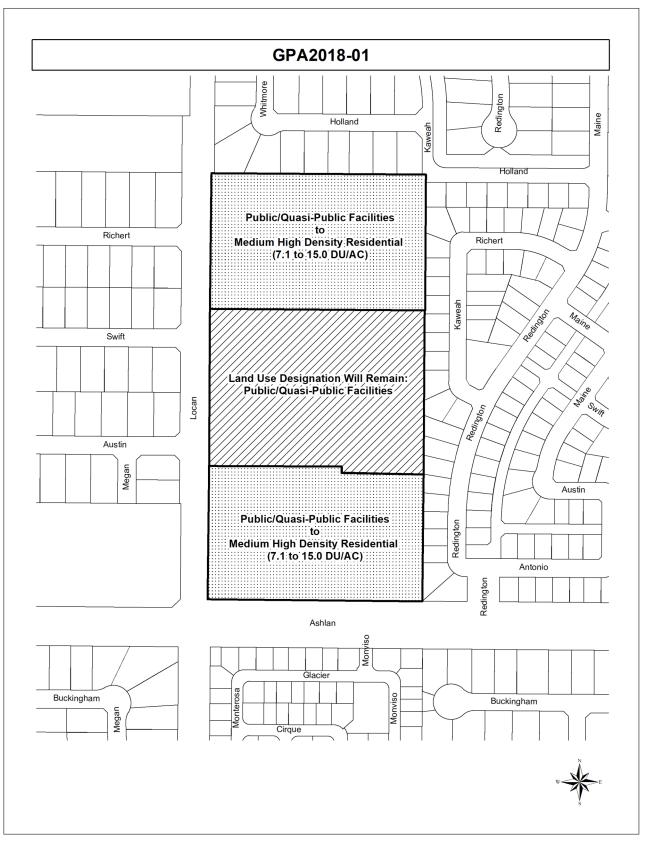


Figure 2 - Project Location

Figure 3 shows proposed site plan.

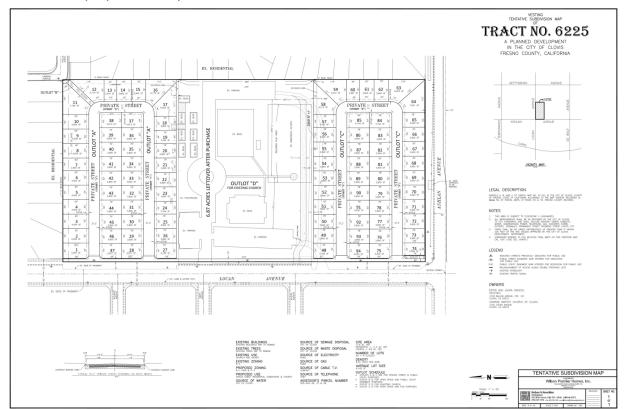


Figure 3 - Project Site Plan

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 tentative parcel or subdivision map), as appropriate. This has proven to be effective in reducing potential impacts by establishing policies and standard requirements that are applied ministerialy 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 PM10 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.

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- 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.

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Lecording 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.

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

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.

- a. 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 a church use, sports field and vacant land. The residential project site proposes an R-1-PRD zoning which permits two-story development, consistent with that allowed in urban development zoning. The church site proposes a P-F (Public Facility) zoning, which is consistent with the Public/Quasi-Public Facilities land use designation. As such, the implementation of the project using current zoning standards, would result in a less than significant impact to scenic vistas.
- b. The project is located in a predominately urban area. The development of these parcels with single-story and two-story development would have a less than significant impact on scenic resources.
- c. The project site has an existing church with associated parking, sports field and vacant land. The implementation of the project, consistent with the existing and proposed zoning would not substantially degrade the visual character or quality of the site and its surroundings.
- d. 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.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
	griculture and forest resources				
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.			•	
b. c.	Conflict with existing zoning for agricultural use, or a Williamson Act contract? Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220 (g))			•	
b	or timberland (as defined in Public Resources Code section 4526)? Result in the loss of forest land or				•
	conversion of forest land to non-forest use?				•
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?				

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.3 Air Quality <i>Will the proposal:</i>				
a. Conflict with or obstruct imple of the applicable air quality pl				
b. Violate any air quality standar contribute to an existing or pr quality violation?			•	
c. Result in a cumulatively consi increase of any criteria pollut which the project region is no attainment under an applicab state ambient air quality stan (including releasing emission	ant for n-		•	

1	d.	exceed quantitative thresholds for ozone precursors)? Expose sensitive receptors to substantial pollutant concentrations?		-	
	e.	Create objectionable odors?			

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 a 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

e 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_3), nitrogen dioxide (NO_2), carbon monoxide (CO), sulfur dioxide (SO_2), coarse inhalable particulate matter (PM_{10}), fine inhalable particulate matter ($PM_{2.5}$), 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.

Pollutant	Averaging Time	Federal Primary Standard	State Standard
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 ₁₀	Annual		20 ug/m ³
	24-Hour	150 ug/m ³	50 ug/m ³
PM _{2.5}	Annual	15 ug/m ³	12 ug/m ³
	24-Hour	35 ug/m ³	
Lead	30-Day Avg.		1.5 ug/m ³
	3-Month Avg.	1.5 ug/m ³	

TABLE 3.4-1 FEDERAL AND STATE AMBIENT AIR QUALITY STANDARDS

Notes: ppm = parts per million; ug/m^3 = 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.

⁸³ tainment 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_{10} and CO, and nonattainment for $PM_{2.5}$. At the state level, the SJVAB is designated nonattainment for the 8-hour ozone, PM_{10} , and $PM_{2.5}$ 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_x) 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 PM₁₀ emission of 15 tons per year (82 pounds per day).

While the SJVAPCD CEQA guidance recognizes that PM_{10} is a major air quality issue in the basin, it has to date not established numerical thresholds for significance for PM_{10} . However, for the purposes of this analysis, a PM_{10} 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_{10} is consistent with the SJVAPCD's ROG and NO_x 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_{10} Prohibitions. The SJVAPCD guidelines provide feasible control measures for construction emission of PM_{10} 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.

The Air Quality and Greenhouse Gas Impacts were analyzed by Mitchell Air Quality consultants. In an Air Quality and Greenhouse Gas Analysis Report prepared on June 28, 2018, it is stated that the project will not have a significant impact to air quality or greenhouse gas, 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.

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 PM₁₀. 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_{10} 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_{10} 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 PM₁₀. 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 residences. 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.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
	Siological Resources ill the proposal result in impacts to:				
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?				
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?			•	
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?			•	
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				

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	native wildlife nursery sites?			
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		•	
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?			

The project site is currently a public/quasi-public facilities use. The site is bounded by urban development to the west, north, east, and south.

Impacts

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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. According to an assessment of the site performed by Argonaut Ecological Consulting, Inc., the study area does not support aquatic habitat, wetlands, or waters of the U.S. The assessment also concluded that 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. During the site evaluation, the assessment concluded that no active nest sites of Western Burrowing owls were conclusively identified in the ground habitat. However, the study also concluded that ground nesting may have taken place in the area in the past. With inclusion of mitigation measures to address the nesting season for burrowing owls, 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.

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 - 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: A pre-construction burrowing owl survey should be conducted no more than 30 days prior to any site disturbance (clearing or grubbing, grading, etc.). If the burrows are verified by a biologist to be not occupied, then the burrow should be filled/collapsed to prevent occupation before construction. If burrowing owl occupation (overwintering) is identified, then coordination with the California Department of Fish and Wildlife should be initiated to determine whether passive relocation can be performed.

No construction work can begin within 100 feet of any occupied nest and ESA fencing should be installed to prevent accidental disturbance until such time as coordination with CDFW is completed. If construction is to begin during the nesting period for the burrowing owl, and an occupied burrow is found, coordination with the CDFW would likewise be required to determine whether passive relocation is an option. Disturbance of the nest could not occur until any young have fledged and the burrow is vacated (either through passive relocation or voluntarily by the owl).

The project is not expected to create any significant impacts to biological resources with the inclusion of a mitigation measure.

			Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.5	-	Iltural Resources				
	a.	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?		٦		
	b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?			•	
	C.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			•	
	d.	Disturb any human remains, including those interred outside of formal cemeteries?				

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

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Leserve 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 Peak & Associates, Inc. who concluded that there are no previously recorded prehistoric or historic sites identified within the project area.

Pursuant to requirements of SB18 and 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 Peak & Associates, Inc. and concluded that there were no previously recorded prehistoric or historic sites identified within the project site.

- a. A Cultural Resource Assessment was conducted by Peak & Associates, Inc., and found no historical resources 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.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
	eology and Soils II the Project:				
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				

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	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?		•
	ii) Strong seismic ground shaking?		
	iii)Seismic-related ground failure, including liquefaction?		
	iv)Landslides?		
b	Result in substantial soil erosion or the loss of topsoil?		
c.	· · · · · · · · · · · · · · · · ·		•
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?		•
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?		•

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

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

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

bes. 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 (CO₂), methane (CH₄), and nitrous oxide (N₂O) 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.¹ 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.

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

- 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."
- 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.

An Air Quality and Greenhouse Gas Analysis Report was performed by Mitchell Air Quality Consulting, dated June 28, 2018. The evaluation concluded that the project is consistent with the goals of the ARB and impact is less than significant.

Impacts

- 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. An Air Quality and Greenhouse Gas Analysis Report was performed by Mitchell Air Quality Consulting. 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. An Air Quality and Greenhouse Gas Analysis Report was prepared for the project by Mitchell Air Quality Consulting. 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.

			Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.8	-	zards and Hazardous Materials				
	a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				
	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?	٦		•	
	C.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			•	
	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?				•
	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?				

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02	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?		
	g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		•
	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?		•

The General Plan Environmental Safety Element Policies were adopted to reduce the potential safety risks associated with hazardous materials and urban development. The proposed project does not involve activities related to the handling or transport of hazardous materials other than substances to be used during construction. The project does not involve the construction or operation of hazardous material facilities.

Further, the project site is not listed as part of the State of California's Hazardous Waste and Substances Site List. Field review by City staff did not identify any obvious signs of contamination.

- b. Construction activities that could involve the release of hazardous materials associated with the project would include maintenance of on-site construction equipment, which could lead to minor fuel and oil spills. The use and handling of hazardous materials during construction activities would occur in accordance with applicable federal, state, and local laws. Therefore, these impacts are considered less than significant.
- c. There is a school facility with daily classes and a church with occasional classes within one quarter-mile of the project area. Based on field review, no signs of potential contamination or hazardous materials were identified. All construction activities will comply with state and federal standards in relation to on-site and off-site contamination. Therefore, impacts are considered less than significant/ no hazard issues are expected with this development of this site.

	ydrology and Water Quality	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a.	Violate any water quality standards or waste discharge requirements?				
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				

	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?		•	
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?		•	
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?		•	
f.	Otherwise substantially degrade water quality?		-	
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?		•	
h.	•			
i.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a		•	
j.	result of the failure of a levee or dam? Inundation by seiche, tsunami, or mudflow?			

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 of 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

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Intaminants, 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 <u>2017</u>).

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.

It 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.

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 planed 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. This project would not violate any water quality standards or waste discharge requirements.
- b. The project would not deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level due to the project. The General Plan Program EIR identified a net decrease in ground water aquifer throughout the region, however, because the City's domestic water system is primarily served through surface water via existing water entitlements, the loss of aquifer is less than significant. The City has developed a surface water treatment plant (opened in June, 2004) that reduces the need for pumped groundwater, and has also expanded the municipal groundwater recharge facility. The project's impacts to groundwater are 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. 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.
- e, f. The proposed project would add insignificant amounts of new impervious surfaces. These new surfaces would not significantly change absorption rates or drainage patterns that would result in a significant impact. Construction-related activates could result in degradation to water quality. Construction activities typically involve machines that have the potential to leak hazardous materials that may include oil and gasoline.
- 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.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
	Land Use and Planning Il the proposal:				
a.	Physically divide an established community?				
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, Loma Vista Specific Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			•	
C.	Conflict with any applicable habitat conservation plan or natural community conservation plan?				•

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

Impacts

b. The proposed project is requesting to amend the General Plan to re-designate a portion of the project area from Public/Quasi-Public Facilities to Medium High Density Residential. Although this is a change which is not consistent with the General Plan's Land Use Diagram, the project is consistent with the continued urbanization of the Loma Vista Specific Plan area. Therefore impacts in this category are less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.11 Mineral Resources <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?				
 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? 				■

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.12 N	loise				
W	ill the proposal result in:				
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?			•	
b.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			•	
	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			•	
d.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			•	
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?			•	
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?				•

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

- a. The construction of the proposed project may result in temporary construction-related noise impacts. Construction noise would be short-term in nature and only occur for a limited duration. These impacts have been addressed in the General Plan and with the Clovis Municipal Code restrictions on hours of construction, temporary noise would be 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 single-family development, but the impacts are 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. The proposed project site is approximately 3.02 miles east of the Fresno Yosemite International Airport. The project site sits outside of the 60-65 CNEL noise contour of the airport. Therefore, the project would not expose people to excessive airport or airstrip noise.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.13 Population and Housing <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)?			•	
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				•
 Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? 				

The proposed project will generate or result in increased population in the area. The project includes a 94-lot single-family planned residential development. The number of new residents in the area would equal approximately 254 residents.

Impacts

a. The project could add 94 units to the area equating to approximately 254 new residents. It is anticipated that this development would introduce a number of new citizens to the City of Clovis, however it is considered to be less than significant.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.14 Public Services 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:				
a. Fire protection?				

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100	b. Police protection?		•	
	c. Schools?		•	
	d. Parks?			
	e. Other public facilities?			

The project would not result in a significant increased demand for public services. The project is consistent with the utility planning documents; therefore impacts in this category are not anticipated to be significant.

- a. The project would have a less than significant increase in demand for fire protection services. In the event that a fire occurs during construction, the Clovis Fire Department would respond. However, no additional personnel or equipment would be needed as a result of the project. Therefore, impacts to fire services are considered less than significant.
- b. The proposed project would not result in substantial adverse physical impacts associated with the provision of police protection. This project will be located within the City of Clovis and police protection services will be provided by the City of Clovis Police Department. No significant impacts to police services are anticipated as a result of this project.
- 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 reduces any potential impact to a less than significant level.
- d. Development of this site with 94 single-family homes 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. The impacts in this category are less than significant since all units built in this project will contribute to the park funds.
- e. The project would have a less than significant impacts on other public facilities.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.15	6 Recreation <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?			•	
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?				

¹⁰¹ vironmental Setting

The project includes a 94-lot single-family planned residential development.

Impacts

a. The proposed project would not create new demand for any type of recreational facilities that were no 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.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
	ransportation/Circulation the proposal result in:				
	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?		•		
	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?			•	
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?			•	
	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			•	
	Result in inadequate emergency access?			-	
	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

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he case of streets within County areas, through government funded projects in cooperation with the County.

Impacts

- a. The site is currently a public/quasi-public facilities use. The project proposal includes a 94-unit single-family planned residential development. New traffic will be introduced to the area as a result of the project. Due to the proximity of a new local street near the intersection of Ashlan and Locan Avenues, circulation conflicts may occur. However, with the incorporation of a mitigation measure, 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.

Mitigation Measure

Mitigation Measure 3.16-a: The project will require the construction of a 2-foot wide raised median (approximately 190 feet in length measured from the crosswalk) on Locan Avenue north of Ashlan Avenue.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.17 Tribal Cultural Resources 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:				
 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)? 				
 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 				

103	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?	

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 resource assessment was prepared by Argonaut Ecological Consulting, Inc. (submitted July 2, 2018), for the project area. The analysis concluded that the project is not listed 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).
- b. Per AB52, the project was mailed to all Tribes listed on the Native American Heritage contact list, dated July 23, 2018. 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.

	Itilities and Service Systems	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?				
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?			•	
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?			•	
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			•	
e.	Result in a determination by the wastewater				

104	f.	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? Be served by a landfill with sufficient permitted			
		capacity to accommodate the project's solid waste disposal needs?		•	
	g	. Comply with federal, state, and local statutes and regulations related to solid waste?			

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.

- 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. 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. According to a letter from the FMFCD dated July 12, 2018, the district can accommodate the proposed 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.

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3.1	9 Mandatory Findings of Significance				
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?				0
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)?			•	
C.	Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	٥		•	

The project includes a 94-lot single-family planned residential development located at the northeast corner of Ashlan and Locan Avenues, in the City of Clovis.

- a. 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.
- b. 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.
- c. Based on the analysis provided in Initial Study, the project will not have environmental effects that will cause substantial adverse effects on human beings.

106 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 proposed project is not expected to result in significant cumulative visual resource impacts with mitigation. Street lighting for the area could add additional light pollution to the area. 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.

¹⁰⁷ ology 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 MMTCO₂-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.

¹⁰⁸ blic Services

The proposed project creates additional homes 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 homes 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. However, circulation conflicts may occur due to proximity of a new local street near the intersection of Ashlan and Locan Avenues. Therefore, the project would have a less than significant impact on cumulative transportation and circulation conditions with a mitigation measure incorporated.

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 proposed project would have a less than significant cumulative impact on utility and service system demands.

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.

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

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-a: A pre-construction burrowing owl survey should be conducted no more than 30 days prior to any site disturbance (clearing or grubbing, grading, etc.). If the burrows are verified by a biologist to be not occupied, then the burrow should be filled/collapsed to prevent occupation before construction. If burrowing owl occupation (overwintering) is identified, then coordination with the California Department of Fish and Wildlife should be initiated to determine whether passive relocation can be performed.

No construction work can begin within 100 feet of any occupied nest and ESA fencing should be installed to prevent accidental disturbance until such time as coordination with the CDFW is completed. If construction is to begin during the nesting period for the burrowing owl, and an occupied burrow is found, coordination with the CDFW would likewise be required to determine whether passive relocation is an option. Disturbance of the nest could not occur until any young have fledged and the burrow is vacated (either through passive relocation or voluntarily by the owl).

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The project is not expected to create any significant impacts to biological resources with the inclusion of a mitigation measure.

- **3.16-a:** The project will require the construction of a 2-foot wide raised median (approximately 190 feet in length measured from the crosswalk) on Locan Avenue north of Ashlan Avenue.
- 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: August 31, 2018

George González, 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 General Plan Amendment GPA2018-01, Rezone R2018-07 & Vesting Tentative Tract Map TM6225 Dated August 31, 2018

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.

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
3.1 Aesthet	ics			
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.	City of Clovis Planning	Prior to Permits and During Construction	
3.4 Biological				

6.2 Mitigation Monitoring Program

2 Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
3.4-a	A preconstruction burrowing owl survey should be conducted no more than 30 days prior to any site disturbance (clearing or grubbing, grading, etc.). If the burrows are verified by a biologist to be not occupied, then the burrow should be filled/collapsed to prevent occupation before construction. If burrowing owl occupation (overwintering) is identified, then coordination with the California Department of Fish and Wildlife should be initiated to determine whether passive relocation can be performed. No construction work can begin within 100 feet of any occupied nest and ESA fencing should be installed to prevent accidental disturbance until such time as coordination with CDFW is completed. If construction is to begin during the nesting period for the burrowing owl, and an occupied burrow is found, coordination with the CDFW would likewise determine whether passive relocation is an option. Disturbance of the nest could not occur until any young have fledged and the burrow is vacated (either through passive relocation or voluntarily by the owl). The project is not expected to create any significant impacts to biological resources with the inclusion of a mitigation measure.	City of Clovis Planning	Prior to Permits and During Construction	
3.16 Transp	portation/Circulation			
3.16-a	The project will require the construction of a 2-foot wide raised median (approximately 190 feet in length measured from the crosswalk) on Locan Avenue north of Ashlan Avenue.	City of Clovis Planning	Prior to Permits and During Construction	

7.0 Report Preparation

CITY OF CLOVIS- LEAD AGENCY PLANNING DIVISION George González, Associate Planner 1033 Fifth Street Clovis, CA 93612 (559) 324-2383 georgeg@cityofclovis.com 114

DRAFT RESOLUTIONS

ATTACHMENT 2

DRAFT RESOLUTION 18-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING A MITIGATED NEGATIVE DECLARATION FOR GENERAL PLAN AMENDMENT GPA2018-01, REZONE R2018-07 AND VESTING TENTATIVE TRACT MAP TM6225, PURSUANT TO CEQA GUIDELINES

WHEREAS, the project proponent, Wilson Premier Homes, Inc., 7550 North Palm Avenue, Suite 102, Fresno, CA 93711, has submitted various files including a General Plan Amendment GPA2018-01, Rezone R2018-07 and Vesting Tentative Tract Map TM6225 for property located at the northeast corner of Ashlan and Locan 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 August 2018, 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 September 27, 2018, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

CLOVIS PLANNING COMMISSION RESOLUTION NO. 18-___ Date: September 27, 2018

Paul Hinkle, Chair

Dwight Kroll, AICP, Secretary

EXHIBIT "B"

Mitigation Monitoring and Reporting Program

Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
:S			
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	Prior to Permit and During construction	
1			
A pre-construction burrowing owl survey should be conducted no more than 30 days prior to any site disturbance (clearing or grubbing, grading, etc.). If the burrows are verified by a biologist to be not occupied, then the burrow should be filled/collapsed to prevent occupation before construction. If burrowing owl occupation (overwintering) is identified, then coordination with the California Department of Fish and Wildlife should be initiated to determine whether passive relocation can be performed. No construction work can begin within 100 feet of any occupied nest and ESA fencing should be installed to prevent accidental disturbance until such time as coordination with the CDFW is completed. If construction is to begin during the nesting period for the burrowing owl, and an occupied burrow is found, coordination with the CDFW would likewise be required to determine whether passive relocation is an option. Disturbance of the nest could not occur until any young have fledged and the burrow is vacated (either through passive relocation or voluntarily by the owl).	City of Clovis Planning Division	Prior to Permits and During Construction	
	 The developer shall direct all lighting downward and provide physical shields to prevent direct view of the light source from adjacent residential properties. A pre-construction burrowing owl survey should be conducted no more than 30 days prior to any site disturbance (clearing or grubbing, grading, etc.). If the burrows are verified by a biologist to be not occupied, then the burrow should be filled/collapsed to prevent occupation before construction. If burrowing owl occupation (overwintering) is identified, then coordination with the California Department of Fish and Wildlife should be initiated to determine whether passive relocation can be performed. No construction work can begin within 100 feet of any occupied nest and ESA fencing should be installed to prevent accidental disturbance until such time as coordination with the CDFW is completed. If construction is to begin during the nesting period for the burrowing owl, and an occupied burrow is found, coordination with the CDFW would likewise be required to determine whether passive relocation is an option. Disturbance of the nest could not occur until any young have fledged and the burrow is vacated (either 	s 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 A pre-construction burrowing owl survey should be conducted no more than 30 days prior to any site disturbance (clearing or grubbing, grading, etc.). If the burrows are verified by a biologist to be not occupied, then the burrow should be filled/collapsed to prevent occupation before construction. If burrowing owl occupation (overwintering) is identified, then coordination with the California Department of Fish and Wildlife should be initiated to determine whether passive relocation can be performed. City of Clovis Planning Division No construction work can begin within 100 feet of any occupied nest and ESA fencing should be installed to prevent accidental disturbance until such time as coordination with the CDFW is completed. If construction is to begin during the nesting period for the burrowing owl, and an occupied burrow is found. Coordination with the CDFW would likewise be required to determine whether passive relocation is an option. Disturbance of the nest could not occur until any young have fledged and the burrow is vacated (either through passive relocation or voluntarily by the owl).	s 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 Prior to Permit and During construction I A pre-construction burrowing owl survey should be conducted no more than 30 days prior to any site disturbance (clearing or grubbing, grading, etc.). If the burrows are verified by a biologist to be not occupied, then the burrow should be filled/collapsed to prevent occupation before construction. If burrowing owl occupation (overwintering) is identified, then coordination with the California Department of Fish and Wildlife should be initiated to determine whether passive relocation can be performed. No construction work can begin within 100 feet of any occupied nest and ESA fencing should be installed to prevent accidental disturbance until such time as coordination with the CDFW is completed. If construction is to begin during the nesting period for the burrowing owl, and an occupied burrow is found, coordination with the CDFW would likewise be required to determine whether passive relocation is an option. Disturbance of the nest could not occur until any young have fledged and the burrow is vacated (either through passive relocation or voluntarily by the owl).

Proposed Mitigation	Summary of Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	impacts to biological resources with the inclusion of a mitigation measure.			
3.16 Transpo	rtation/Circulation			
3.16-a	The project will require the construction of a 2-foot wide raised median (approximately 190 feet in length measured from the crosswalk) on Locan Avenue north of Ashlan Avenue.	City of Clovis Planning Division	Prior to Permits and During Construction	

DRAFT RESOLUTION 18-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING A GENERAL PLAN AMENDMENT AS PART OF THE THIRD GENERAL PLAN AMENDMENT CYCLE OF 2018, INCLUDING GENERAL PLAN AMENDMENT GPA2018-01 AMENDING THE LAND USE ELEMENT FOR APPROXIMATELY 11.37 ACRES LOCATED AT THE NORTHEAST CORNER OF ASHLAN AND LOCAN AVENUES AND RECOMMENDS ADOPTION OF A MITIGATED NEGATIVE DECLARATION FOR GPA2018-01

WHEREAS, Wilson Premier Homes, Inc., 7550 North Palm Avenue, Suite 102, Fresno, CA 93711, has applied for a General Plan Amendment GPA2018-01; and

WHEREAS, The Applicant submitted an application for a General Plan Amendment to amend the General Plan and Loma Vista Specific Plan to change the land use designation from Public/Quasi-Public Facilities to Medium High Density Residential (7.1 – 15.0 DU/Ac), for approximately 11.37 acres of property located at the northeast corner of Ashlan and Locan Avenues, in the City of Clovis, California; and

WHEREAS, the proposed General Plan Amendment GPA2018-01, 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, staff does recommend adoption of a Mitigated Negative Declaration for GPA2018-01; and

WHEREAS, a public notice was sent out to area residents within 800 feet of said property boundaries twenty-one days prior to said hearing; and

WHEREAS, a duly noticed hearing was held on September 27, 2018; and

WHEREAS, on September 27, 2018, the Planning Commission considered testimony and information received at the public hearing and the oral and written reports from City staff, as well as other documents contained in the record of proceedings relating to General Plan Amendment GPA2018-01 which are maintained at the offices of the City of Clovis Department of Planning and Development Services; and

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

- a. The proposed amendment is internally consistent with the goals, policies, and actions of the General Plan; and
- b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City; and
- c. If applicable, the parcel is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested/anticipated project.
- d. There is a compelling reason for the amendment.

e. 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 General Plan Amendment GPA2018-01, subject to the attached conditions of approval labeled Exhibit "A."

* * * * *

The foregoing resolution was approved by the Clovis Planning Commission at its regular meeting on September 27, 2018, upon a motion by Commissioner ______, seconded by Commissioner ______, and passed by the following vote, to wit:

AYES: NOES: ABSENT: ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 18-____ DATED: September 27, 2018

Paul Hinkle, Chair

ATTEST:

Dwight Kroll, AICP, Secretary

DRAFT RESOLUTION 18-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS RECOMMENDING APPROVAL TO REZONE APPROXIMATELY 18.13 ACRES FROM THE R-A (SINGLE-FAMILY RESIDENTIAL – 24,000 SQ. FT.) ZONE DISTRICT TO THE R-1-PRD (PLANNED RESIDENTIAL DEVELOPMENT) AND P-F (PUBLIC FACILITIES) ZONE DISTRICTS FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF ASHLAN AND LOCAN AVENUES AND APPROVING A MITIGATED NEGATIVE DECLARATION PURSUANT TO CEQA GUIDELINES

LEGAL DESCRIPTION:

See the attached Exhibit "One."

WHEREAS, Wilson Premier Homes, Inc., 7550 North Palm Avenue, Suite 102, Fresno, CA 93711, has applied for a Rezone R2018-07; and

WHEREAS, this is a request to rezone approximately 18.13 acres from the R-A (Single-Family Residential – 24,000 Sq. Ft.) Zone District to the R-1-PRD (Planned Residential Development) and P-F (Public Facilities) Zone Districts for property located at the northeast corner of Ashlan and Locan 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 800 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 R2018-07, subject to the attached conditions of approval labeled Exhibit "A."

* * * * *

The foregoing resolution was approved by the Clovis Planning Commission at its regular ig on September 27, 2018, upon a motion by Commissioner _____, seconded by Commissioner _____, and passed by the following vote, to wit:

AYES: NOES: ABSENT: ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 18-____ DATED: September 27, 2018

Paul Hinkle, Chair

ATTEST:

Dwight Kroll, AICP, Secretary

DRAFT RESOLUTION 18-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING A VESTING TENTATIVE TRACT MAP FOR A 94-LOT SINGLE-FAMILY PLANNED RESIDENTIAL DEVELOPMENT ON 11.37 ACRES OF PROPERTY LOCATED AT THE NORTHEAST CORNER OF ASHLAN AND LOCAN AVENUES AND APPROVING A MITIGATED NEGATIVE DECLARATION PURSUANT TO CEQA GUIDELINES

WHEREAS, Wilson Premier Homes, Inc., 7550 North Palm Avenue, Suite 102, Fresno, CA 93711, has applied for a Vesting Tentative Tract Map TM6225; and

WHEREAS, Vesting Tentative Tract Map TM6225, was filed on May 31, 2018, and was presented to the Clovis Planning Commission for approval in accordance with the Subdivision Map Act of the Government of the State of California and Title 9, Chapter 2, of the Municipal Code and the City of Clovis; and

WHEREAS, a public notice was sent out to area residents within 800 feet of said property boundaries twenty-one days prior to said hearing; and

WHEREAS, a duly noticed hearing was held on September 27, 2018; and

WHEREAS, the Planning Commission has given careful consideration to this map on September 27, 2018, and does approve a Mitigated Negative Declaration for the project.

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

- a. The proposed map, subdivision design, and improvements are consistent with the General Plan and any applicable specific plan;
- b. The site is physically suitable for the type and proposed density of development;
- c. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
- d. The design of the subdivision or type of improvements is not likely to cause serious public health or safety problems;
- e. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. This finding may also be made if the review authority finds that alternate easements for access or use will be provided, and that they will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record, or to easements established by judgment of a court of competent jurisdiction, and no authority is hereby granted to the review authority to determine that the public at large has acquired easements of access through or use of property within the proposed subdivision;
- f. The discharge of sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board;

- g. The design of the subdivision provides, to the extent feasible, passive or natural heating and cooling opportunities; and
- h. The proposed subdivision, its design, density, and type of development and improvements conform to the regulations of this Development Code and the regulations of any public agency having jurisdiction by law.
- i. The Planning Commission does approve a Mitigated Negative Declaration for the project pursuant to CEQA guidelines.

NOW, THEREFORE, BE IT RESOLVED that Vesting Tentative Tract Map TM6225, attached and labeled Exhibit "B," be and is hereby approved, subject to the attached conditions of approval labeled Exhibit "A-1."

* * * * * *

The foregoing resolution was approved by the Clovis Planning Commission at its regular meeting on September 27, 2018, upon a motion by Commissioner _____, seconded by Commissioner _____, and passed by the following vote, to wit:

AYES: NOES: ABSENT: ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 18-_____ DATED: September 27, 2018

Paul Hinkle, Chair

ATTEST:

Dwight Kroll, AICP, Secretary

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APPLICANT'S JUSTIFICATION FOR GPA2018-01

ATTACHMENT 3

Wilson Homes, Inc.

General Plan Amendment Justification Tentative Tract No. 6225 August 3, 2018

<u>Applicant:</u>	Wilson Premier Homes, Inc. Mr. Leo Wilson 7550 N. Palm Avenue, Suite 102 Fresno, CA 93711
<u>Property Owner:</u>	Peter G. and Laura L. Herzog Revocable Family Trust dated September 12, 2001 3128 Willow Avenue, Suite #101 Clovis, CA. 93612
Donnoontotivot	Sonrise Baptist Church of Clovis 3105 Locan Avenue Clovis, CA. 93719
<u>Representative:</u>	Dirk Poeschel Land Development Services, Inc. 923 Van Ness Ave., Suite No. 200 Fresno, CA 93721
<u>APN:</u>	555-042-36, 37 & 38
Current Zoning:	R-A
<u>Area:</u>	17.8 acres
Plan Area:	Loma Vista Community Plan

REQUEST

The applicant, Wilson Premier Homes, Inc. proposes to change the City of Clovis General Plan designation on a portion of this site from Public/Quasi Public Facilities to Medium High Density Residential (7.1 to 15 units/per acre) for approximately 11.3 acre parcel located at the southeast corner of Locan and Ashlan Avenues. The medium high density portion of this site will be zoned R-1-PRD to allow the Wilson Premier Homes, Inc. *L!V* project which is currently successfully marketed in Clovis. This site has been annexed and is currently a within the City of Clovis. Furthermore, the subject site has existing development on all sides and is considered in-fill.

The applicant has submitted Tentative Tract No. 6225, prepared by Harbour & Associates of Clovis to the city which proposes development of 94 single-family lots.

JUSTIFICATION

The proposed General Plan Amendment should be granted based on the reasons provided below. The subject site is clearly an infill site being bounded by urban development. It is an unusable portion of the Sonrise Baptist Church of Clovis. The church has no desire to expand onto the two hemispheres of unused property thereby creating two, bisected remnants.

An evaluation of the ability to build a typical single-family residential project on the two hemispheres is limited by site size not conducive to construction economies and its shape which does not efficiently accommodate typical residential lots.

The Wilson Premier Homes, Inc. L!V product is a mid-size residence with a focus on a buyer who desires a somewhat smaller lot and perhaps a home with less yard maintenance. Please see the attached Tentative Subdivision Map No. 6225 and the City of Clovis adopted Loma Vista land Use Plan.

The existing Public/Quasi Public Facilities designation does not allow residential use and is surrounded on three sides by single family residential homes.

The proposed modification to allow a Medium High Density Residential land use designation on the Wilson Premier Homes, Inc. site will allow for a use that is consistent with the surrounding uses. As illustrated on Tentative Subdivision Map No. 6225 proposes 94 single family lots.

The proposed project will develop at 8.53 units to the acre, which is on the low end on the density range of 7.1 to 15 units per acre. As illustrated on the proposed tentative map, a paseo trail/walkway system will also be constructed to facilitate interconnectivity of uses on and off the subject site. The paseo trail will complete a missing connection through this projects housing and create connectivity from the southwest portion of Loma Vista, all the way to the Reagan Educational Center and the Loma Vista Community Center.

A. Compatible with Specific Plan Layout and Design Directives

As with all Wilson Premier Homes, Inc. projects, the proposed development will be built with high quality homes incorporating a variety of attractive housing types and designs.

B. The project represents an opportunity for greater efficiencies in the delivery of municipal services.

A variety of studies including testimony during the recent City of Clovis General Plan Update indicate that moderate density increases reduce service delivery costs of municipalities particularly police, fire services expenses. The aforementioned studies also suggest the downward pressure on costs to public infrastructure such as sewer, water and other similar services.

Fresno COG's Fresno County Blueprint promotes new regional development patterns to combat the loss of prime agricultural land, improve air quality, reduce traffic congestion, and provide more affordable housing. For new residential development, the Blueprint establishes an *average* density goal of 9.0 housing units per acre for Fresno and Clovis. As part of California's AB 32 effort to address climate change, SB 375 will fund new transportation investments to those communities who comply with regional plans that the California Air Resources Board certifies meet total vehicle miles traveled reduction targets.

Taken together, the Fresno County Blueprint and SB 375 have necessitated new development patterns, including among other things more compact, higher density mixed-use development. Studies show that among other benefits, slightly higher densities increase public transit ridership and expand non-motorized travel that also help implement SB375's goal of reducing vehicle-miles-travelled and improving regional air quality.

Below please see the summary of infrastructure and service delivery costs as identified in the United States Environmental Protection Agency dated December, 2012 report entitled *SMART GROWTH AND ECONOMIC SUCCESS: BENEFITS FOR REAL ESTATE DEVELOPERS, INVESTORS AND LOCAL GOVERNMENTS.* The aforementioned report summarizes financial advantages to the public and private sector due to reasonable increases in residential densities.

C. Consistent with General Plan Housing Goals

Housing Goals/Policies

Policy 3.3 Completion of Loma Vista. The City prioritizes the completion of Loma Vista while allowing growth to proceed elsewhere in the Clovis Planning Area in accordance with agreements with the County of Fresno and LAFCo policies.

One of the *Guiding Principles* of the Loma Vista Community Centers Master Plan document is to "approve development predicated on the ability to provide adequate water supply, sewer and storm water infrastructure, public services, and transportation system connections in a comprehensive and timely manner". The proposed project's enhanced residential component will facilitate the earlier development of the Loma Vista Community Center and the planned community business hub to the northeast. Further, the project will complement the planned higher density residential units proximate to the aforementioned planned business center by providing increased "roof tops" of potential customers and increasing the potential work force of the business center.

Adequate infrastructure is available adjacent to the subject site or will be installed in accordance with all applicable standards and pay substantial mitigation fees described below. These improvements will accommodate vehicular and pedestrian travel with the proposed residential project and the existing church.

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

The proposed project will provide housing and lifestyle opportunities for all ages. The proposed L!V product focus on meeting varied housing lifestyle and income demands of the Clovis market. In addition, the proposed paseo and trail connections will provide an opportunity for public interaction and recreation.

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.

The proposed product type focuses on meeting varied housing lifestyle categories. The L!V product was designed to address distinct elements of the Clovis residential market. The product contributes to the diversity of housing sizes and types while still delivering the decade's long tradition of a quality Wilson Home. Market research and product sales history accumulated by the developer indicates that the project has a wide appeal to a varying age group and economic and demographic diversity.

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

The proposed project is intended to provide ownership opportunities based on market demand. Market research performed by the developer indicates the project appeal to a varying economic demographic diversity.

Policy 5.3 Innovative housing. Encourage innovative housing product types, including multigenerational, cooperative, and variations on live-work housing.

The L!V product is currently offered in the Clovis market. Over time, the product has been modified to improve its design to better adapt to changing market demand. The L!V product has been widely accepted by a broad range of the market with a greater range of demographic, income and lifestyle appeal.

The L!V product is also a mid-size residence with a focus on a buyer who desires a somewhat smaller lot and perhaps a home with less yard maintenance. Based on sales, this product attracts a substantial portion of current Clovis residents.

Policy 6.1 Amendment Criteria

Policy 6.1 Amendment criteria. The City Council may approve amendments to the General Plan when the City Council is satisfied that the following conditions are met:

A. The proposed change is and will be fiscally neutral or positive.

The proposed change can be adequately served by public facilities and will not negatively impact service on existing development or the ability to service future development. In fact, all of the information available suggests that a slight increase in residential densities has a positive downward influence on service delivery costs.

C. The proposed change is consistent with the Urban Village Neighborhood Concept when within an Urban Center.

The proposed project is complementary to the Loma Vista Specific Plan. The project provides quality residential development proximate to the plan area's major job producing area. The proposed densities are reasonable and consistent with studies that suggest such densities reduce public and private cost of residential development. The proposed project will accelerate the completion of the plan area and provide "roof tops" to be served by the planned urban Community Center.

Policy 6.2 Smart growth. The city is committed to the following smart growth goals.

A. Create a range of housing opportunities and choices.

As described above, the proposed project offers a distinct housing product that appeals to a wide market base.

B. Create walkable neighborhoods.

The project will incorporate trails and pedestrian linkage to enhance walk ability and reduce the reliance on fossil fueled transportation sources to schools, the planed business campus and the Community Center.

C. Encourage community and stakeholder collaboration.

The project developer has committed to an appropriate outreach to the community to define the project characteristics and related compatibility.

D. Foster distinctive, attractive communities with a strong sense of place.

The project developer has a long history of developing attractive communities with a strong identity. This Wilson Premier Homes Inc. project will not be an exception to historic high quality and design standards by integrating the project with its surroundings and linking with the proposed open space areas that will create an attractive, distinctive project.

E. Make development decisions predictable, fair, and cost-effective.

The proposed project will install a variety of public improvements and pay a variety of fees and mitigation measures often not acknowledged but are described below:

1. School Fees of \$833,028 to Clovis Unified School District

a. L!V-2,100 sq. ft. average size 94 units x 2,100sq. ft. = 197,400 sq. ft. x \$4.22 per sq. ft. = \$833,028

2. Regional Mitigation Fees of \$203,228

- a. Reginal Transportation Mitigation Fee \$1,662/unit x 94 units = \$156,228
- **b.** San Joaquin Unified Air Pollution Control Air District- \$500/unit x 94 units = \$47,000

3. Clovis Community Facility District Public Safety Annual Assessments \$21,338

94 x \$227/unit = \$21,338 per year for Clovis Public Safety (fire/police)

F. Provide a mix of land uses.

The proposed project supports and implements the general plan goal by creating a mix of densities and housing types. As mentioned above, one of the project proponent's principle concepts is to blend residential, recreational open space and lifestyle opportunities in one master planned project.

G. Preserve open space, farmland, natural beauty, and critical environmental areas.

The proposed project will incorporate a trail connection to the regional trail system. The applicant's market studies and buyer interviews indicate a strong buyer preference for useable open space. Increase in densities such as proposed will reduce pressure to convert productive agricultural land from production.

H. Provide a variety of transportation choices.

As mentioned above, the project will incorporate trails and pedestrian linkage to enhance walk ability and reduce the reliance on fossil fueled transportation sources.

I. Strengthen and direct development toward existing communities.

The proposed project is part of the Loma Vista Specific Plan area. The proposed project will strengthen the commitment to this plan area by providing a market sensitive product with exceptional master plan qualities.

J. Take advantage of compact building design.

The project proposes to construct homes that exceed energy efficiency standards. In addition, the proposed residences have evolved to be more efficient and still meet market demand.

K. Enhance the economic vitality of the region.

Development of the prosed project will contribute to the completion of the Loma Vista Specific Plan area which demonstrates the demand for Clovis housing. Demand for such housing is an indicator of an economically healthy community. As mentioned above, the proposed project will accelerate the completion of the plan area and provide "roof tops" to be served by the planned urban Community Center.

L. Support actions that encourage environmental resource management.

The proposed project seeks to create greater service delivery efficiencies, consume less fossil fuels which improves the quality of life and air quality. The proposed ample open and the church site provide important quality of life spiritual components.

Conclusion

For the reasons detailed above, Wilson Premier Homes, Inc. respectfully requests support of the proposed project.

SMART GROWTH AND ECONOMIC SUCCESS: BENEFITS FOR REAL ESTATE DEVELOPERS, INVESTORS, BUSINESSES, AND LOCAL GOVERNMENTS

United States Environmental Protection Agency, Office of Sustainable Communities Smart Growth Program December 2012 www.epa.gov/smartgrowth

B. Infrastructure and Service Delivery Cost Savings

Extensive research has found that compact development patterns, higher density, mixed uses, and other characteristics of smart growth development can reduce the costs of providing public infrastructure and delivering services. Many communities with conventional low-density, single-use development patterns are financially burdened by the cost of maintaining, and ultimately replacing, their existing infrastructure given the tax revenue this development generates. Smart growth strategies can help create vibrant and diverse communities in which public infrastructure investments yield returns that cover long-term financial obligations. Several examples illustrate how smart growth strategies can reduce short- and long-term costs of development for local governments:

• An analysis of alternative growth scenarios for the Salt Lake City region showed that the region's modeled growth strategy, which included transportation investments, zoning changes, land preservation policies, and water conservation incentives, could save \$4.5 billion over 20 years in transportation, water, sewer, and utility infrastructure compared to the baseline scenario based on existing plans and trends

• The Maryland Department of Planning estimated the amount of road infrastructure needed between 2010 and 2030 under both the current (as of 2010) statewide growth pattern and a Smart Growth scenario. The department estimated that the current growth scenario would require about 2.5 times more new road infrastructure than the smart growth scenario, at a cost of \$29 billion.17

• An infrastructure cost model analyzing base case and smart growth alternative development patterns in Sacramento, California, found that the smart growth alternative would save \$14 billion. Savings came from reduced service costs for water, sewer, roads, flood control, drainage, and other utilities and from fewer land purchases needed to mitigate the loss of farms and wildlife habitat.

• A study in Rhode Island found that the state could save more than \$1.4 billion over 20 years if its next 20,000 housing units were built in a compact configuration instead of a low-density, large-lot, scattered pattern of development. The study showed savings on roads, schools, and utilities and calculated the benefits of conserving farms and forest lands.

• A comparison of the coverage areas and relative costs of fire protection service between two neighborhoods in Charlotte, North Carolina, found that a fire station in a neighborhood with a well-connected street pattern typical of smart growth development covered 4.5 times more addresses at a much lower annual per capita cost than a station in a less connected area (\$159 versus \$740).

• A cost-simulation model found that increasing lot size can affect the cost of providing water and sewer service, as can increasing distance from existing water and wastewater treatment plants. Annual costs for water and sewer service for households on small lots less than half a mile from an existing water and wastewater treatment plant are less than 25 percent of the costs for households on large lots four to five miles from an existing treatment plant.

Developers also benefit from infrastructure efficiencies in smart growth projects. Higher densities and compact development patterns that require shorter utility runs and less roadway area can translate to significant cost savings on the construction of utilities and streets, costs often paid by developers.

A case-study comparison examined the infrastructure costs of traditional neighborhood development versus conventional suburban development. The study considered variables that drive infrastructure costs, including lot size, product type, residential density, thoroughfare cross section, and thoroughfare network pattern, to quantify and compare the impact on the total infrastructure cost. The study found that infrastructure costs for traditional neighborhood development scenarios were consistently less than conventional suburban development scenarios, ranging from 32 percent to 47 percent less, with the traditional neighborhood development cost savings based principally on density. Lower-density conventional suburban development also has greater land acquisition costs compared to a compact traditional neighborhood development accommodating the same number of homes.

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APPLICANT'S DEVELOPMENT STANDARDS

ATTACHMENT 4

135 ACT 6225

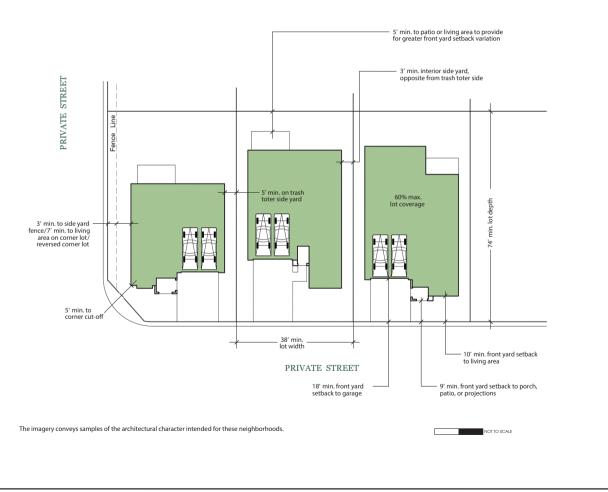
– NEC ASHLAN & LOCAN

CT 6225

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Residential Land Use Development Standards

LAND USE	D	EVELOPMENT STANDARDS
SINGLE-FAMILY	STANDARD	NOTES
RESIDENTIAL		
DESIGNATION	D DDD	
Zone District	R-1-PRD	Maline Dende Deddardd
GP Density Range Dwelling Units	4.1 - 7.0 du/ac	Medium Density Residential
Dwennig Units	94	
BUILDING INTENSITY	- 1	
Minimum Lot Area Minimum Lot Width	2,812 sqft	
Minimum Lot Width Minimum Lot Depth	38' 74'	
Maximum Height	35	
Curved/Cul-de-sac/	25' min/25' min/41' min	For street frontage
Corner Lot	25/ 25/ 41	
BUILDING SETBACKS		All setbacks measured from PL.
Front Yard (Local)	18' min/10' min/9' min	To garage/To living area/To projections and/or
		porch/patio
Side Yard	5' min/3' min	5' min one side/3' min other side
Corner/Reversed Corner	3' min/7' min	To side yard fence/To living area
Rear Yard	5' min	
Corner Cut-Off	5' min	
GARAGES/STREETS/PARK	ING	
Garages	2-car	20'x20' min.
	1-car	10'x16' min.
Streets (Private)	36' curb to curb	
On-Street Parking	Yes	
ACCESSORY USES Walls/Fences	6' min - 8' high max	General list of requirements and restrictions.
Trellises	12' high max	
Pools and Spas	5' min	Water portion to rear and side PLs. Pool and spa
	-	may not be located in front yard.
Equipment	HVAC, Pool, spa and fou and rear setback.	intain equipment allowed in side yard easement
Covered Structures	12' high max	Covered structures and building additions are
Accessory Buildings		allowed subject to review by the City of Clovis,
Theeessory Dunnings		provided that lot coverage standards are not exceeded and that a rear yard encroachment
		permit is obtained if encroachment into rear
		yard occurs.



CORRESPONDENCE

ATTACHMENT 5



June 11, 2018

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

SUBJECT: TM 6225, GPA2018-01, R2018-07 APN 555-042-36, 37 & 38

Dear Mr. Gonzalez:

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

In regards to this project with R2018-07 the district has concern regarding the re-designation of the land located on the east side of Locan avenue, north of Ashlan Avenue. Currently this project site has a designation of Public/Quasi-Public Facilities, the district does not feel confident in the ability to accommodate students associated with a re-designation to Medium High Density Residential (7.1 to 15.0 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:	Reagan Elementary
Address:	3701 Ashlan Ave Clovis CA 93619-9221
Telephone:	(559) 327-8900
Capacity:	858
Enrollment:	672 (CBEDS enrollment 2016-17 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. Hovseplan 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 June 11, 2018 Page 2

2. Intermediate School Information:

School Name:	Reyburn Intermediate
Address:	2901 Dewolf Ave Clovis CA 93619-5226
Telephone:	(559) 327-4500
Capacity:	1600
Enrollment:	1429 (CBEDS enrollment 2016-17 school year)

3. High School Information:

School Name:	Clovis East High School
Address:	2940 Leonard Ave Clovis CA 93619-8446
Telephone:	(559) 327-4000
Capacity:	3100
Enrollment:	2492 (CBEDS enrollment 2016-17 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 \$4.63 per square foot (as of July 1, 2017) 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,

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Michael Johnston Associate Superintendent Administrative Services



File 210.434 210.45 "6225" 400.11 550.10 "DO"

July 12, 2018

Mr. George Gonzalez, MPA, Associate Planner City of Clovis Department of Planning & Development Services 1033 Fifth Street Clovis, CA 93612

Dear Mr. Gonzalez,

Rezone Application No. R2018-007 General Plan Amendment GPA 2018-001 Drainage Area "DO"

The proposed rezone and general plan amendment lie within the District's Drainage Area "DO". Based on information submitted at this time, the District's system can accommodate the proposed rezone. The existing Master Plan system has been designed for runoff from a Medium-High Density Residential land use at this location. Lot coverage must be provided to the District prior to submittal of improvement plans for this project. Should the density of the project be commensurate with a density higher than the system design, mitigation may be required.

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

Very truly yours,

Michael Maxwell Engineering Technician III

MM/lrl

k:\letters\rezone letters\clovis\2018\2018-007(do)(mm).doex





June 13, 2018

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

Project: GPA2018-01, R2018-07, TM6225 for Wilson Premier Homes, Inc.

District CEQA Reference No: 20180618

Dear Mr. Gonzalez:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the above referenced project consisting of a General Plan Amendment (GPA) to redesignate approximately 11 acres from Public/Quasi-Public Facilities to medium high density residential, Rezone (R) approximately 18.13 acres from R-A-Zone District to the R-1-PRD and P-F (Public Facilities) Zone Districts, and Tentative Map 6225 to approve a vesting tentative tract map for a 94-lot single-family planned residential development (Project) located at the northeast corner of Ashlan and Locan Avenues, in Clovis, CA. (APN: 555-042-36, 37 and 38) The Church site will maintain the land use designation of Public/Quasi-Public Facilities. The District offers the following comments:

- 1. The General Plan Amendment / Rezone (GPA/R) itself will not have an impact on air quality. However, the development of TM62225 (Tentative Map 6225) will contribute to the overall decline in air quality due to increased traffic and ongoing operational emissions.
- 2. Significance Impact for Annual Criteria Pollutants Emissions The Project specific annual emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 micron (D1440) r of particulate matter of 2.5 microns or ct concludes that the Project would have vhen compared to the above-listed annua esholds.

ons of less in size (PM10), or 15 tons per yea	ar
less in size (PM2.5). Therefore, the Distr	ic
e a less than significant impact on air quality	W
al criteria pollutant emissions significance thr	е
Council Contraction	

Seyed Sadredin Executive Director/Air Pollution Control Officer

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

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

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

www.valleyair.org www.healthyairliving.com 141

3. <u>District Rule 9510 (Indirect Source Review)</u> - District Rule 9510 is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site fees. The Project is subject to District Rule 9510 if it equals or exceeds 50 residential dwelling units and has or will receive a project-level discretionary approval from a public agency. If subject to the rule, an Air Impact Assessment (AIA) application is required prior to applying for project level approval from a public agency. In this case, if not already done, please immediately submit an AIA application to the District to comply with District Rule 9510.

In the case the Project is subject to Rule 9510 an AIA application is required and the District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit, be made a condition of Project approval. Information about how to comply with District Rule 9510 can be found online at: http://www.valleyair.org/ISR/ISRHome.htm. The AIA application form can be found online at: http://www.valleyair.org/ISR/ISRFormsAndApplications.htm.

- 4. <u>District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)</u> In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: http://www.valleyair.org/busind/comply/asbestosbultn.htm.
- <u>Regulation VIII (Fugitive PM10 Prohibitions)</u> The Project will be subject to Regulation VIII. The project proponent is required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in District Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities. Information on how to comply with Regulation VIII can be found online at: http://www.valleyair.org/busind/comply/PM10/compliance_PM10.htm
- 6. <u>Other District Rules and Regulations</u> The above list of rules is neither exhaustive nor exclusive. For example, the Project may be subject to the following District rules, including: Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). To identify other District rules or regulations that apply to this Project or to obtain information on the District's permit requirements, such as an Authority to Construct (ATC), the Project proponent is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888 or e-mail SBA@valleyair.org. Current

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District rules can be found online at the District's website at www.valleyair.org/rules/1ruleslist.htm.

7. <u>Potential Air Quality Improvement Measures</u> - The District encourages the following air quality improvement measures to further reduce Project related emissions from construction and operation. A complete list of potential air quality improvement measures can be found online at:

http://www.valleyair.org/ceqaconnected/aqimeasures.aspx.

- a. <u>Cleaner Off-Road Construction Equipment</u> This measure is to utilize off-road construction fleets that can achieve fleet average emissions equal to or cleaner than the Tier II emission standards. This can be achieved through any combination of uncontrolled engines and engines complying with Tier II and above engine standards.
- b. <u>Improve Walkability Design</u> This measure is to improve design elements to enhance walkability and connectivity. Improved street network characteristics within a neighborhood include street accessibility, usually measured in terms of average block size, proportion of four-way intersections, or number of intersections per square mile. Design is also measured in terms of sidewalk coverage, building setbacks, street widths, pedestrian crossings, presence of street trees, and a host of other physical variables that differentiate pedestrianoriented environments from auto-oriented environments.
- c. <u>Improve Destination Accessibility</u> This measure is to locate the project in an area with high accessibility to destinations. Destination accessibility is measured in terms of the number of jobs or other attractions reachable within a given travel time, which tends to be highest at central locations and lowest at peripheral ones. The location of the project also increases the potential for pedestrians to walk and bike to these destinations and therefore reduces the (vehicle miles traveled) VMT.
- d. <u>Increase Transit Accessibility</u> This measure is to locate the project with high density near transit which will facilitate the use of transit by people traveling to or from the Project site. The use of transit results in a mode shift and therefore reduced VMT. A project with a residential/commercial center designed around a rail or bus station, is called a transit-oriented development (TOD). The project description should include, at a minimum, the following design features:
 - A transit station/stop with high-quality, high-frequency bus service located within a 5-10 minute walk (or roughly ¼ mile from stop to edge of development), and/or

- A rail station located within a 20 minute walk (or roughly ½ mile from station to edge of development)
- Fast, frequent, and reliable transit service connecting to a high percentage of regional destinations
- Neighborhood designed for walking and cycling

The District recommends that a copy of the District's comment letter be provided to the Project proponent. District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this Project. If you have any questions or require further information, please call Georgia Stewart at (559) 230-5937 or e-mail Georgia.Stewart@valleyair.org. When calling or emailing the District, please reference District CEQA number 20180618.

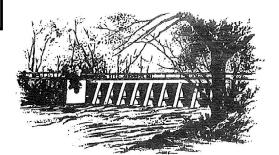
Sincerely,

143

Arnaud Marjollet Director of Permit Services

Brian Clements Program Manager

AM: gs





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

YOUR MOST VALUABLE RESOURCE - WATER

June 12, 2018

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

RE: Vesting Tentative Tract Map 6225 N/E Ashlan and Locan avenues

Dear Mr. Gonzalez:

The Fresno Irrigation District (FID) has reviewed the Vesting Tentative Tract Map 6225 for which the applicant request approval for a 94-lot single-family residential development, APN's: 555-042-36, 37, & 38. This request is being processed concurrently with GPA2018-01 and R2018-07, 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 Brown No. 113 runs southwesterly, crosses Ashlan Avenue approximately 2,000 feet southeast of the subject property, crosses DeWolf Avenue approximately 2,000 feet southeast of the subject property, and crosses Locan Avenue approximately 100 feet south of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Ashlan Avenue, DeWolf Avenue, Locan Avenue, or in the vicinity of this pipeline, FID requires it review and approve all plans.
- 3. For informational purposes, FID's Gunn No. 386 runs southwesterly and crosses Gettysburg Avenue approximately 1,300 feet north of the subject property, and crosses Locan Avenue approximately 1,200 feet north of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Gettysburg Avenue, Locan Avenue, or in the vicinity of this pipeline, FID requires it review and approve all plans.

G:\Agencies\Clovis\Tract Map\6225.doc

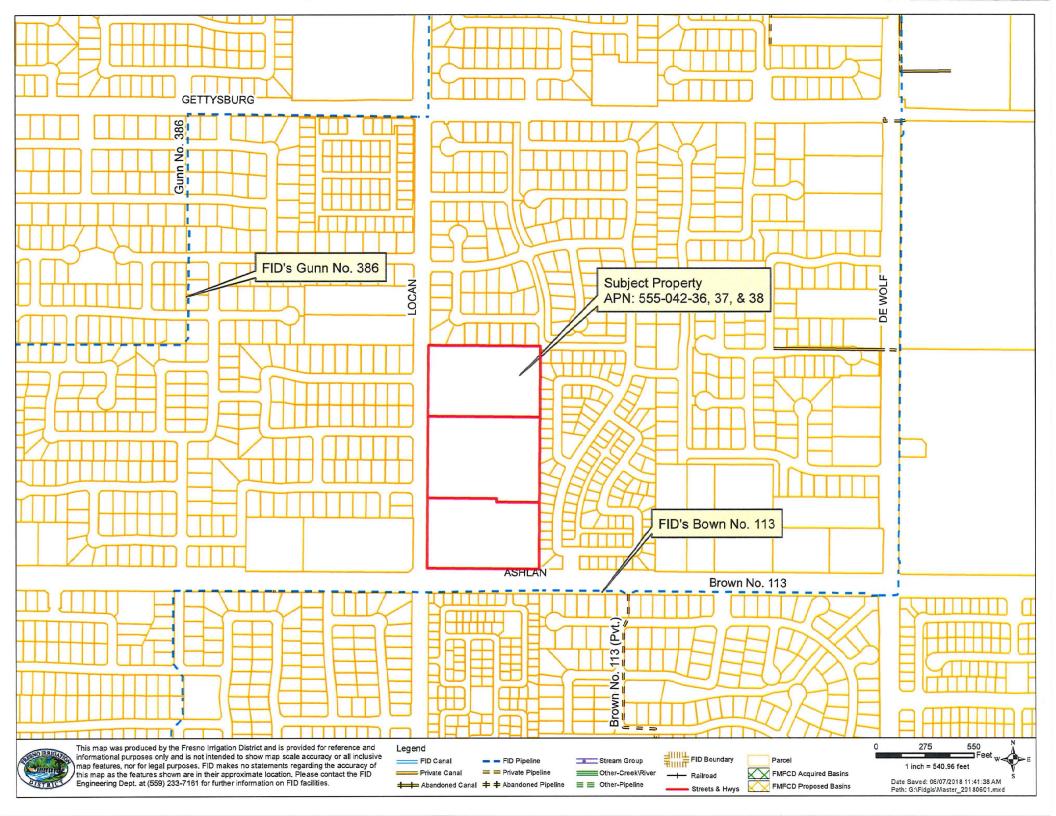
- Mr. George Gonzalez Re: TM 6225 June 12, 2018 Page 2 of 2
 - 4. The proposed development may negatively impact local groundwater supplies. The area is currently open land, rural residential or limited agricultural production with little to no water demand. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed development result in an increase in the consumption of water, this deficit will increase. 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.

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 Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E. Chief Engineer

Attachment



Page 1 of 5

DEVELOPER

FRESNO, CA 93711

JEFF HARRIS, WILSON PREMIER HOMES, INC.

7550 N. PALM AVE., SUITE 102

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

Total Drainage Fee: \$101,790.00

PROJECT NO: 6225

ADDRESS: NEC OF ASHLAN AND LOCAN AVENUES APN: 555-042-36, 38, 37 SENT: **Development Review** Drainage Area(s) Preliminary Fee(s) Fee(s) Service Charge(s) \$101,790.00 NOR Review DO \$510.00 To be paid prior to release of District comments to Public Agency and Developer. Grading Plan Review \$1,423.00 Amount to be submitted with first grading plan submittal. Storm Drain Plan Review For amount of fee, refer to www.fresnofloodcontrol.org for form to fill out and submit with first storm drain plan submittal (blank copy attached).

Total Service Charge:

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.

\$1,933.00

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 6/07/18 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:

Fees related to undeveloped or phased portions of the project may be deferrable. a.)

Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under

- b.) 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.
- The actual cost incurred in constructing Master Plan drainage system facilities is credited against the drainage fee d.) obligation.
- When the actual costs incurred in constructing Master Plan facilities exceeds the drainage fee obligation, e.) reimbursement will be made for the excess costs from future fees collected by the District from other development.
- Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the f.) 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.

5469 E. OLIVE - FRESNO, CA 93727 - (559) 456-3292 - FAX (559) 456-3194

File No. 210.45

10. 622

PUBLIC AGENCY

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT NOTICE OF REQUIREMENTS

Page 2 of 5

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

1. _____ a. Drainage from the site shall

148

- **X** 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 Non Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:
 - X Developer shall construct facilities as shown on Exhibit No. 1 as NON-MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER.

TRACT

- ____ None required.
- 3. The following final improvement plans and information shall be submitted to the District for review prior to final development approval:
 - X Grading Plan
 - X Street Plan
 - X Storm Drain Plan
 - X Water & Sewer Plan
 - X Final Map
 - X Drainage Report (to be submitted with tentative map)
 - ____ Other
 - ____ None Required
- 4. Availability of drainage facilities:
 - X 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.)
 - <u>X</u> Does not appear to be located within a flood prone area.
- 6. ____ The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT NOTICE OF REQUIREMENTS

Page 3 of 5

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.

See Exhibit No. 2 for additional comments, recommendations and requirements.

Peter Sanchez District Engineer

X

Michael Maxwell Project Engineer

149

7.

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT NOTICE OF REQUIREMENTS

Page 4 of 5

CC:

LORREN SMITH, HARBOUR & ASSOCIATES

389 CLOVIS AVE., #300

CLOVIS, CA 93612

FRESNO	METROPOLITAN FLOOD CONTROL DISTRIC	T
	NOTICE OF REQUIREMENTS	

Page 5 of 5

Pursuant to the District's Development Review Fee Policy, the subject project shall pay review fees in the amount identified below for Storm Drain Review. The fee shall be paid to the District by Developer with first plan submittal. Checks shall be made out to Fresno Metropolitan Flood Control District.

Application No.	CL TRACT 6225

Name / Business JEFF HARRIS, WILSON PREMIER HOMES, INC.

Project Address NEC OF ASHLAN AND LOCAN AVENUES

Project APN(s) 555-042-36, 38, 37

Project Acres (gross) 11.86

Please fill in the table below of proposed storm drain facilities to be constructed with this development and return completed form with first plan submittal. If you have any questions or concerns regarding the construction of facilities list, you can contact the Fresno Metropolitan Flood Control District at 559-456-3292.

Description	Qty	Unit	Price	Amount	15" Jacked Pipes \$555.00 LF
					18" Jacked Pipes \$608.00 LF
					24" Jacked Pipes \$687.00 LF
					30" Jacked Pipes \$766.00 LF
		-			36" Jacked Pipes \$846.00 LF
					42" Jacked Pipes \$898 00 LF
					48" Jacked Pipes \$951 00 LF
					54" Jacked Pipes \$1,031.00 I.F
					60" Jacked Pipes \$1,110 00 LF
					66" Jacked Pipes \$1,216.00 LF
					72" Jacked Pipes \$1,374.00 LF
					84" Jacked Pipes \$1,533.00 LF
					Manholes \$4,000.00 EA
					Inlets & Laterals \$4,450.00 EA
					Outfalls \$11,000.00 EA
					Canal Outfalls \$15,000.00 EA
					Basin Excavation \$0.75 CY
					IMPROVEMENTS ADJACENT TO BASIN
					Fence, Pad, and Gate \$20.00 LF
					Mowstrip \$18.00 LF
					Arterial Paving \$74.00 LF
					Local Paving \$48.00 LF
		Estimated Co	onstruction Cost		Curb and Gutter \$25.00 LF
	Fee equ	als lesser of			Sidewalk \$50.00 LF
\$375.00 plus 3% of the estimated construction costs		Total (\$200	00 mags		Sewer Line \$21.00 LF
		10(21 (\$300)	00 gross per acre	\$3,558.00	Water Line \$24.00 LF
					Street Lights \$65.00 LF
Am	ount Due				Pump Station/Intake \$400,000.00 EA

15" Concrete Pipes \$72.00 LF 18" Concrete Pipes \$76.00 LF 24" Concrete Pipes \$85.00 LF 30" Concrete Pipes \$101.00 LF 36" Concrete Pipes \$120.00 LF 42" Concrete Pipes \$139.00 LF 48" Concrete Pipes \$163.00 LF 54" Concrete Pipes \$198.00 LF 60" Concrete Pipes \$233.00 LF 66" Concrete Pipes \$275.00 LF 72" Concrete Pipes \$317.00 LF 84" Concrete Pipes \$354.00 LF 96" Concrete Pipes \$384.00 LF No. 622 ked Pipes \$555.00 LF ked Pipes \$608.00 LF ked Pipes \$687.00 LF ked Pipes \$766.00 LF ked Pipes \$846.00 LF ked Pipes \$898.00 LF ked Pipes \$951.00 LF ked Pipes \$1,031.00 LF ked Pipes \$1,110.00 LF ked Pipes \$1,216.00 LF ked Pipes \$1,374.00 LF ked Pipes \$1,533.00 LF les \$4,000.00 EA Laterals \$4,450.00 EA \$11,000.00 EA Outfalls \$15,000.00 EA excavation \$0.75 CY **ROVEMENTS ADJACENT** TO BASIN Pad, and Gate \$20.00 LF rip \$18.00 LF Paving \$74.00 LF aving \$48.00 LF nd Gutter \$25.00 LF lk \$50.00 LF ine \$21.00 LF ine \$24.00 LF ights \$65.00 LF

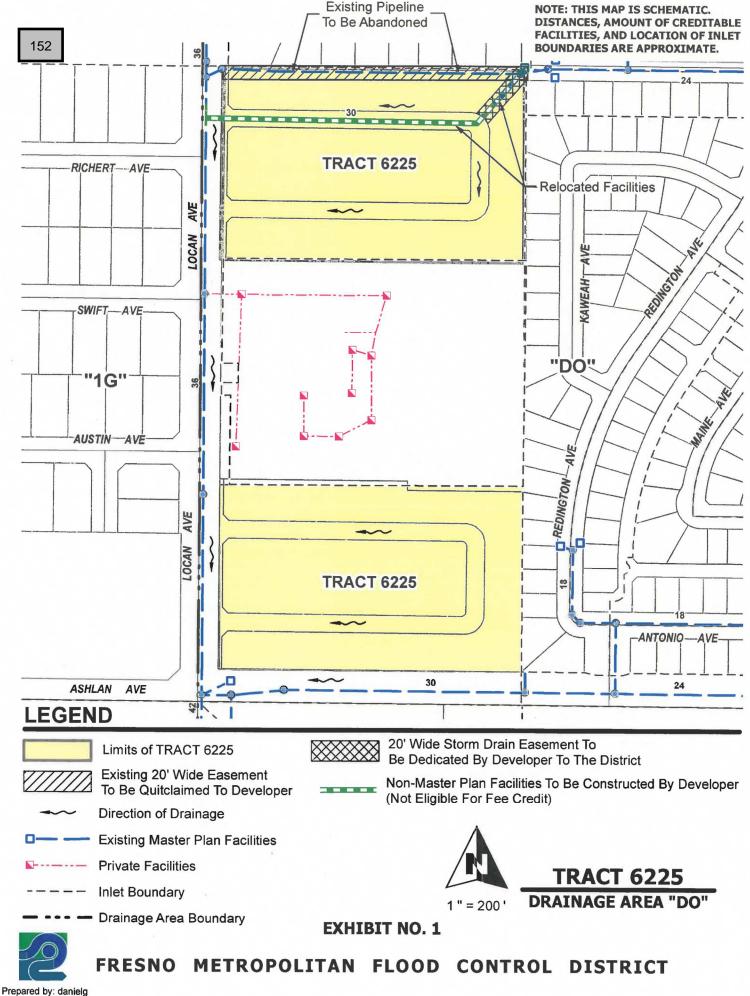
Storm Drain Facilities

Cost Sheet

TRACT

151

Amount Due



Date: 7/11/2018 Path: K:\Autocad\DWGS\0EXHIBIT\TRACTS\6225.mxd

OTHER REQUIREMENTS EXHIBIT NO. 2

There is an existing twenty-foot (20') wide storm drain easement and storm drain pipeline within the limits of Tract 6225 as shown on the attached Exhibit No. 1. The pipeline was constructed in its current location by the subdivision to the north. It was determined the storm drain location was compatible with the contemplated future uses of the property which included; expansion of the existing church, construction of athletic playing fields and most recently the construction of an apartment complex. The proposed change to single family residential, places the storm drain pipeline in the backyard of multiple small residential parcels, which is not acceptable for long term inspection, maintenance and repairs of the storm drain pipeline. The developer shall be required to relocate the existing storm drain pipeline into the paved private roadway as shown on Exhibit No. 1 as Non-Master Plan facilities. The relocation of the existing storm drain pipeline will not be fee creditable or eligible for reimbursement by the District.

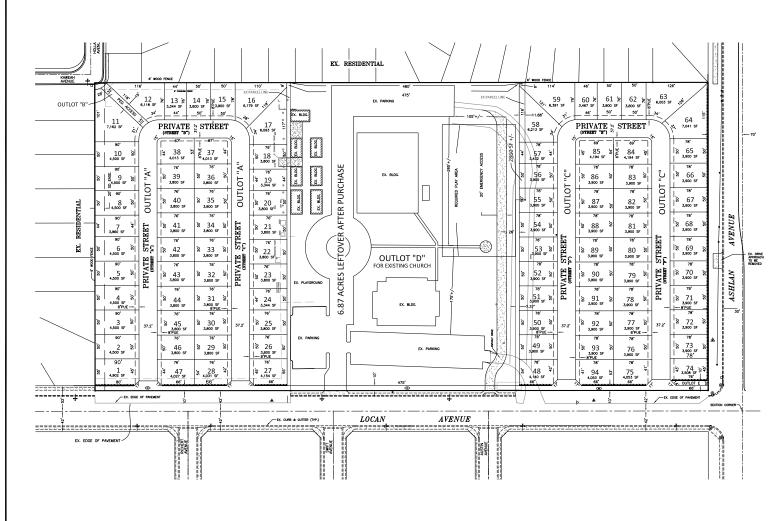
A twenty-foot (20') wide storm drain easement will be required whenever storm drain facilities are located on private property. No encroachments into the easement will be permitted including, but not limited to, foundations, roof overhangs, swimming pools, and trees. The existing pipeline located along the back of lots, as mentioned above, shall be abandoned as shown on Exhibit No. 1. The existing twenty-foot (20') wide easement shall be quitclaimed to the developer upon District acceptance of the Non-Master Plan facilities and dedication of an easement.

The Master Plan system has been designed such that during a two-year event flow will not exceed the height of the 6-inch curb. Should wedge curb (4.5 inches height) be used the same criteria shall apply whereby flow remains below the top of curb. Any extensions or pipe size increases due to meeting the requirement listed above shall be at the developer's expense.

Lot coverage must be provided to the District prior to submittal of improvement plans. The final drainage fee will be calculated commensurate with the lot coverage provided by the developer. If the lot coverage indicates a density higher than Master Planned, mitigation may be required. The lot coverage calculated by the District includes the front yard walkway, sidewalk walkway and the rear yard patio equaling an additional 6% of impervious area in addition to the City's typical lot coverage calculation.

Development No. Tract 6225

k:\permits\exhibit2\tracts\6225.docx(mm)



TYPICAL 37.2' PRIVATE STREET (PARKING ON BOTH SIDES)

EXISTING BUILDINGS EXISTING BUILDINGS ARE TO REMAIN EXISTING TREES EXISTING USE EXISTING ZONING PROPOSED ZONING PROPOSED USE SINGLE FAMILY RESIDENTIAL SUBDIVISION & CHURCH SOURCE OF WATER

SOURCE OF SEWAGE DISPOSAL SITE AREA 17.8 AC. NET RESIDENTIAL = 11.0 AC. NET CHURCH = 6.8 AC. NET SOURCE OF WASTE DISPOSAL SOURCE OF ELECTRICITY DENSITY 8.53 UNITS PER ACRE SOURCE OF GAS SOURCE OF CABLE T.V. SOURCE OF TELEPHONE ASSESSOR'S PARCEL NUMBER

NUMBER OF LOTS AVERAGE LOT SIZE 4,145 3F
 OUTLOT SCHEDULE
 OUTLOTS A & C ARE FOR PRIVATE STREET & PUBLIC UTLUTY PURPOSES
 OUTLOT B IS FOR OPEN SPACE AND PUBLIC UTLUTY EXELENT PURPOSES
 OUTLOT D IS FOR OPEN SPACE AND PUE PURPOSES
 OUTLOT D IS FOR OPEN SPACE AND PUE PURPOSES



VESTING TENTATIVE SUBDIVISION MAP **TRACT NO. 6225** A PLANNED DEVELOPMENT IN THE CITY OF CLOVIS FRESNO COUNTY, CALIFORNIA

LEGAL DESCRIPTION

PARCELS A, B, AND C OF PARCEL MAP NO. 97-02, IN THE CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 59, OF PARCEL MAPS, AT PARCES 34 & 35, FRESNO COUNTY RECORDS.

NOTES

- THIS AREA IS SUBJECT TO FLOODZONE X (UNSHADED
- ALL IMPROVEMENTS SHALL BE AS REQUIRED BY THE CITY OF CLOWS TO CITY STANDARDS, AND SHALL INCLUDE SAMTARY SEWER, DOMESTIC WATER, UNDERGROUND POWER, TELEPHONE, GAS, CONCRETE CURBS, CUTTERS, SIDEWALKS, PERMANENT STREET IAVEMENT STREET LIGHTS, ETC.
- THERE SHALL BE NO GRADE DIFFERENTIALS OF GREATER THAN 6" WITHIN 200 FEET OF THE SITE UNLESS APPROVED BY THE CITY OF CLOVIS DEVELOPMENT DEPARTMENT.
- 4.
- SUBDWDER INTENDS TO FILE MULTIPLE FINAL MAPS ON THIS TENTATIVE MAP. CAL. GOV. CODE SEC. 66456.1

LEGEND

- ▲
- INDICATES STREETS PREVIOUSLY DEDICATED FOR PUBLIC USE PUBLIC STREET EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE \odot
- PUE PUBLIC UTILITY EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
- RELINQUISHMENT OF ACCESS ALONG DOUBLE FRONTAGE LOTS
- **--**EXISTING STREELIGHT EXISTING TRAFFIC SIGNAL

OWNERS

PETER AND LAURA HERZOG, TRUSTIES

- 3128 WILLOW AVENUE, STE. 101 CLOVIS, CA 93612
- SONRISE BAPTIST CHURCH OF CLOVIS 3105 LOCAN AVENUE CLOVIS, CA 93615

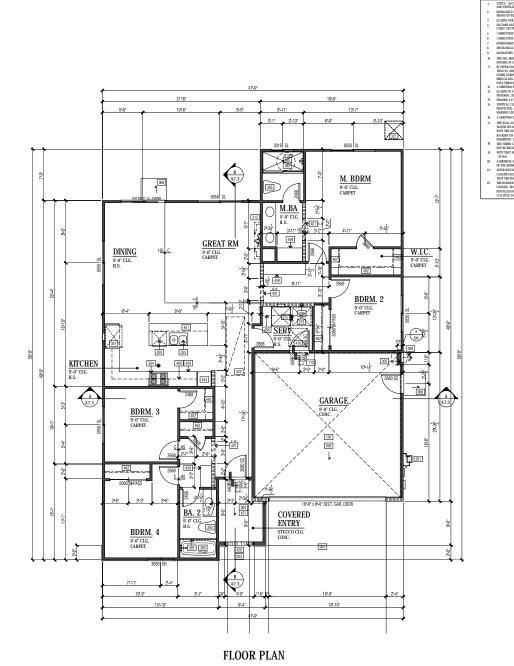
EXHIBIT B



FLOOR & ELEVATION PLANS

EXHIBIT C





FLOOR PLAN NOTES		FLOOR PLAN KEY NOTES			
CCESS FER CRC 8807, DRAFTSTOPS FER CRC 8302.12 ILATION FER 8806.	Name	NOTE			
CY ESCAPE AND RESCUE OPENINGS FER CRC R310. EGRESS FER CRC R311.	001	CONCRETE SLAB (SEE STRUCTURAL DRAWINGS) CONCRETE DRIVE (BY OTHERS)			
*ER CIRC IE303.1 & IE308	003	CONCRETE WALK (BY OTHERS)		ΠΛ	
BULT PREPLACTS AND CHIMNEYS PER CEC R1004, R1005, R1006 CTION 4.503 & CEAC SECTION 150.0(a). ION AR TO ROBICED AR UNIT PER CAIC CHAPTER 7.	004	CONCRETE PORCH SLAB (BY OTHERS) SLOPE 1/4" PER FOOT MIMMUM IN DIRECTION INDICATED		\ W.	X
ION AR TO FORCED AR UNIT FER CMC CHAPTER 7. ION AR TO WATER HEATER FER (PC SECTION 507.0. IENTAL AR DUCTS FER CMC SECTION 504.	005	CONCRETE GARAGE SLAB - SLOPE 1/8" PER FOOT MINIMUM IN DIRECTION INDICATED		٧١	
ALL EQUIPMENT LOCATION AND PROTECTION AGAINST DAMAGE PER CMC 305 & 308. RY REQUIREMENTS FOR APPLIANCES PER CENC SECTION 110.1.	016	CONCRETE STOOP - 38" DEEP AND 2" WIDER THAN THE DOOR OPENING - SLOPE 1/4" PER		William He	ZMALHALCH
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IN ADJUST ROUTED FOR ADJUST WITH A SULL THAT IS LOCATED LESS ADDUET THE PROSTRED FLOOR AND MORET THAN 72 " ADDUE PROSTRED GRADE OR HEAVE BELOW AT THE EXTERNER MINIST RE PROFETEED RA CLIADA OR HAVE SS. THE CUARD MAY NOT HAVE OPENINGS THAT A SPIERE 4" IN DIAMETER CAN	110	SECTION R302.6. PROVIDE SOLID WOOD DOOR, OR SOLID OR HOMEYCOWB CORE STEEL DOORS, NOT LESS			
DOCE. 2016 CHO ESIZ.2 DOCK NALING INSPECTION IN REQUIRED. 2016 CRC R109.1.4.2 & 2016 CRC 110.3.5 N A HAZARDOUS LOCATION IS REQUIRED TO BE CLAZED WITH SAFETY		THAN 1 3/8" THICK, OR 20 MINUTE HRE RATED DOOR. DOORS SHALL BE SELF CLOSING AND SELF LATCHING PER CRC SECTION R302.5.1.			
	201	UTILITY EQUIPMENT AND SERVICE PANELS - VERIFY LOCATION			
6" SQUARE FRESH AIR INTAKE FOR THE GAS APPLIANCE FIREPLACE 2016 T-24 CLEARANCE ABOVE THE COOKTOP TO COMBUSTIBLES IS 30" UNPROTECTED, OR 24"	305	TANKLESS WATER HEATER - MODEL PINNAI (R75LS) - INSTALL PER MANUFACTURER'S INSTRUCTIONS		SNBED	ARCHUIC
(a) SQUARE PRESENTARE INFORMATION INFORMATION CONFIDENCE FOR TALE 2010 1-24 (CLERAANCE ADAPTIC PIEC COORTOF TO COMBISTER ELS SOF UNPERFORMED, 02 24' (2), AND THE HORIZONTAL DAMENSIONS SI SEQUREED TO BE PER THE PERMANENT LISETEO ON THE UNIT. 2016 CACC 1911 4 216.2 CAC NALLING INSPECTION IS REQURED 2016 CRC R106.1.1	309	TEMPERATURE AND PRESSURE RELIEF VALVE. DISCHARGE LINE TO THE DUTSIDE PER 2016 CRC SECTION P2803		(Stell	1 Sall
NCK MALLO GEOPETINO S BEQUERY	312	METAL FREPLACE (GAS APPLIANCE) HEIGHT PER PLAN INSTALL PER MANUFACTURERS		Still.	NXX_
PLASH ARE CONSTRUCTED OF MATERIALS NOT ADVERSELY AFFECTED BY WATER. USE OF FIBER CEMENT, FIBER MAT, REINFORCED CEMENT OR GLASS MAT GYPSUM		INSTRUCTIONS. BY HEATILATOR MODEL# ND4842 ANSI 221.88-2002		- Purtings	P
ON THE FLOOR PLAN. NOTE THAT WATER RESISTANT GYPSUM BOARD IS NO LONGER D TO BE USED IN THESE LOCATIONS2016 CRC R702.4.2	321	AIR CONDITIONING CONDENSER LOCATION		TA PEN	1.20 8 200
E CAR GARAGE IS NON-CONFORMING AND THE REQUIRED SIDEYARD SETSORS MAY ELAKED. 2016 (CR106.1.1)	322	FORCED AIR UNIT (FAU) ATTIC INSALLATION ST DIA. GL DRYFR VENT WITH APPROVED LINT TRAP - VENT THROUGH BOOF		C OF C	ALIFO
	344	WHOLE HOUSE EXHAUST FAN PER 2016 CEC. BEFER TO ATTACHED 'SUMMARY OF THE			1
M 30° DRA CIRCLE IS PROVIDED AT THE SHOWER FLOOR. THE MINIMUM FLOOR AREA IOWER COMPARTMENT IS 1024 SQUARE INCIRES, 2016 CPC 408, 6 TALLING WALL, CERING, OR FLOOR INSTLATION. THE INSTALLER SHALL POST IN A	351	2016 ENERGY CODE ASHRAE 62.2 REQUIREMENTS* REFRIGERATOR SPACE WITH RECESSED COLD WATER BOX			
OWING COMPARINGNTS INCE SIZE AND CPC 400.0 TALLIOC WALL CERC, OR CHOR ON SULTANCE IN THE SCIALUP SHALL NOT IN A ONLINE OWING THE BELBON, A CERPENCIE SOACH OF THE SCIALUP STATE RESULTATION IN SEPTEMBER IN A CONDUCTION THE THE LA RESCALUP STATE RESULTATION IN SEPTEMBER IN A CONDUCTION THE THE LESS OF THE BEATWORK RESULTATION IN SEPTEMBER IN A CONDUCTION THE THE LESS OF THE BEATWORK RESULTATION IN SEPTEMBER IN A CONDUCTION OF THE THE LESS OF THE BEATWORK RESULTATION IN SEPTEMBER IN A CONDUCTION OF THE BEATWORK RESULTATION IN SEPTEMBER IN A CONDUCTION OF THE THE LESS OF THE BEATWORK RESULTATION IN SEPTEMBER IN A CONDUCTION OF THE BEATWORK RESULTATION IN SEPTEMBER IN A CONDUCTION OF THE BEATWORK OF THE ADDRESS OF THE RESULTATION IN SEPTEMBER IN A CONDUCTION OF THE BEATWORK RESULTATION IN SEPTEMBER IN A CONDUCTION OF THE BEATWORK OF THE ADDRESS OF THE BEATWORK RESULTATION IN SEPTEMBER IN A CONDUCTION OF THE BEATWORK OF THE BEATWORK RESULTATION IN SEPTEMBER IN A CONDUCTION OF THE BEATWORK OF THE BEAT	355	SINK WITH GARBAGE DISPOSER			
NER SHALL PROVIDE THE OBSCINAL OCCUPANT WITH THE LIST OF THE REATING, WATER HEATING AND LIGHTING SYSTEMS AND CONSERVATION OR SOLAR DEVICES	359 364	DISHWASHER - ENERGY STAR 30° COOKTOP WITH EXHAUST HOOD AND LIGHT. OVEN BELOW. OPT. MICRO WITH FAN AND			~ -
D IN THE BUILDING AND INSTRUCTIONS ON HOW TO USE THEM REPECTENTLY. 20		UGHT IN LEU OF EXH. HOOD ABOVE UGHT IN LEU OF EXH. HOOD ABOVE WASHER SPACE WITH RECESSED WATER BOX AND DBL. WIDE SMITTY PAN			RACT NUMBER SFD
	372 373	WASHER SPACE WITH RECESSED WATER BOX AND DRL. WIDE SMITTY PAN DRYER SPACE			S S
	377	TUB - 42" X 60"			n
	380 381	TUR/ SHOWER - SIZE PER PLAN CURTAIN ROD			Z
	382	SHATTERPROOF SHOWER DOOR/ ENCLOSURE			CT
	383	TUB ACCESS PANEL			٩
	385 393	SHOWER - PREFABRICATED PAN - SIZE PER PLAN TOILET - PROVIDE NINIWUM 24" X 30" CLEAR FLOOR AREA IN FRONT OF TOILET			Ē
	401	INTERIOR SOFFIT(S)/ DROPPED CENING(S): HEIGHT PER PLAN 30%30* ATTIC ACCESS - DIMENSIONS ARE CLEAR			
	421	STUCCO CELLING: HEIGHT PER PLAN			
	428	ARCHED STUDCO SOFFIT - SEE EXTERIOR ELEVATION			
	451	KITCHEN ISLAND - PROVIDE APPROVED UNDERGROUND CONDUIT FOR ELECTRIC SERVICE TO ISLAND			
	453	PANTRY WITH WIRE SHELVING WIRE SHELF			
	458	WIRE SHED			
	450	UPPER CABINET		N	
	452	SHELF AND POLE			
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		INTERIOR ELEVATION KEY		© 2017 WILLIAM HEZMAL	
				WILLIAM HEZMALHALCH ARCHIT	ECTS, INC. EXPRESSLY RESERVES
				ITS COMMON LAW COPYRIGHT IN THESE PLANS, THESE PLANS CHANGED, OR COPIED IN MAY FOR	AND OTHER PROPESSLY RESERVES AND OTHER PROPERTY RIGHTS SARE NOT TO BE REPRODUCED. IN ON MAMRE WINTSOLVER, NOR RO PARTY WITHOUT REST OBTAINING SIGNT OF WILLIAM HERMANACH IT OF UNAUTHORIZED REUSE OF V. THE THIRP PARTY SHALL HOLD RICHTECTS, INC. HARMLESS.
				ARE THEY TO BE ASSIGNED TO A TH THE WRITTEN PERMISSION AND CO	RD PARTY WITHOUT ARST OBTAINING ISSENT OF WILLIAM HEZMALHALCH
		REQUIRED FLOOR CLEARANCES		THESE PLANS BY A THIRD PART WILLIAM HEZMALHALCH A	IT OF UNAUTHORIZED REUSE OF IT, THE THIRD PARTY SHALL HOLD RCHITECTS. INC. HARMLESS.
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			Ļ	PROJECT MANAGED -	104
			Ļ	PROJECT MANAGER : DESIGNER :	NH BH/AM
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FLOOR AREA TABLE

TOTAL

FLOOR PLAN

COVERED ENTRY

GARAGE

SCALE: 1/4" = 1'- 0"

1

03-20-17

1

FIRST BUILDING SUBMITTAL

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2016084

PLAN 1517 A

1,517 SQ. FT.

1,517 SQ. FT.

414 SQ. FT.

52 SQ. FT.

DRAWN BY: REMEMED BY: IST BLDG. OPT. SUBMITTAL: ISSUED FOR CONSTRUCTION: JOB NUMBER: JOB NUMBER:

CAD FILE NAME

DATE:

03-20-17

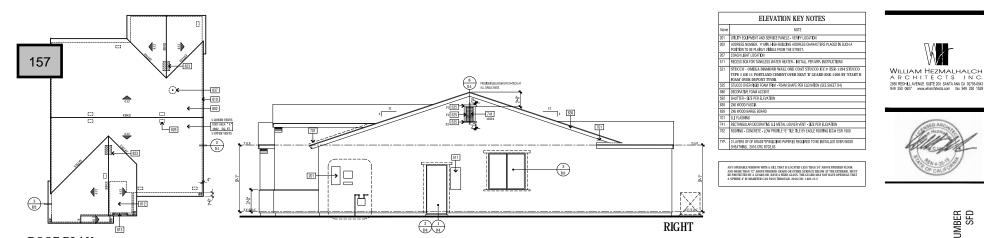
LOWER

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SHEET:

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A701



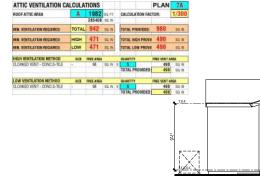
ROOF PLAN SCALE: 1/8" = 1'-0"

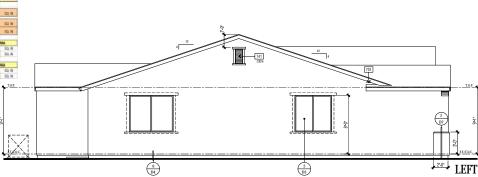
ELEVATION REFERENCE: A ELEVATION STYLE: TUSCAN					
ROOF MATERIAL	STANDARD ROOF	FASCIA -	BARGE -	OVERSHANG D	M U.N.O.
ROOP MATERIAL	DETAIL U.N.O.	U.N.O.	U.N.O.	EAVE	RAKE
LOW PROFILE CONCRETE 'S' TILE 'EAGLE ROOFING' EC# ESR-1900	(DI	2X6	2X6	l'-0"	TIGHT
R	OOF PLAN	NOTES			
NOTE: MANDATORY REQUIREMENTS F	OR SOLAR READY I	BUILDINGS P	ER CEnC SE	CTION 110.10).
1. SEE GENERAL NOTES FOR ROOF NOTES.					

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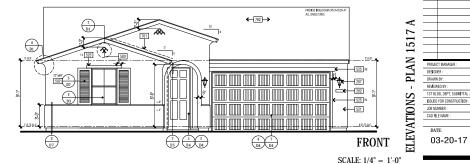
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	ROOF PLAN KEY NOTES				
Name	NOTE				
802	ROOFING - CONCRETE - LOW PROFILE "S" TILE TILE BY EAGLE ROOFING ICC# ESR 1900				
810	LINE OF WALL BELOW				
812	STUCCO CELING				
813	STUCCO SOFFIT				
823	MIN: 22'X30' CLEAR OPENING FOR ACCESS AND AIRFLOW CONTRACTOR TO VERIFY AIRFLOW TO ALL ATTIC AREAS				
826	ROOF VENT - O'HAGIN 'XI, SERIES' CLOAKED VENT (ICC # NER-9650A)				
837	PROVIDE 1° CONDUIT FROM THE ELECTRIC PANEL TO LOCATION IN ATTIC FOR FUTURE SOLAR INSTALLATION.				





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TRACT NUMBER SFD

WILSON HOMES FRESNO, CALIFORNIA

03-20-17

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SUBMITTAL

BUILDING

FIRST |

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PLANS

DESCRIPTION

PLAN 151

NOT SCALE

NO. DATE

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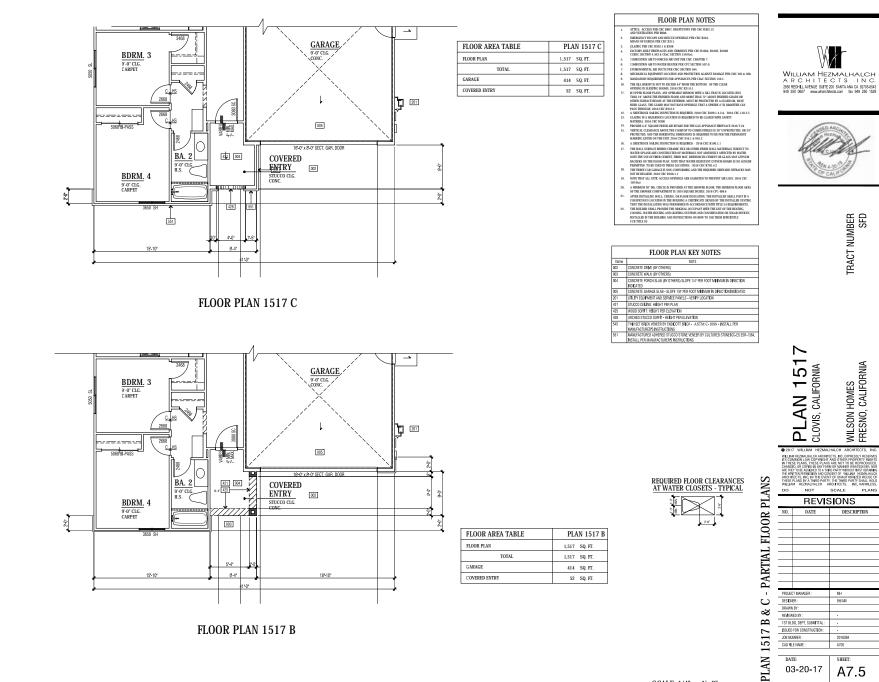
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SCALE: 1/4" = 1'- 0"

03-20-17

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SUBMITTAL

BUILDING

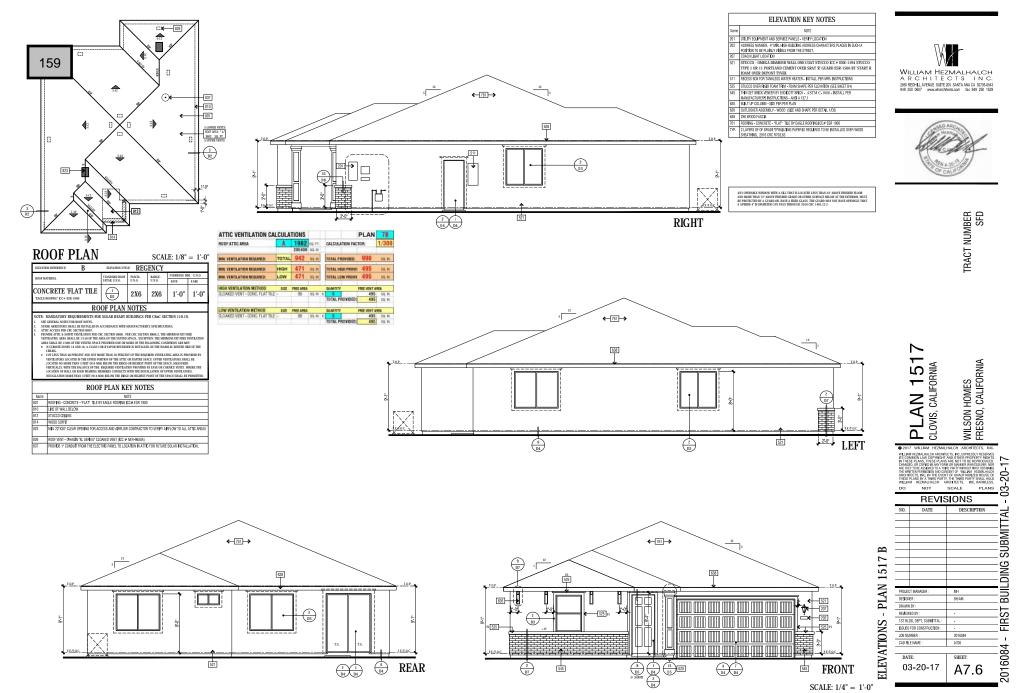
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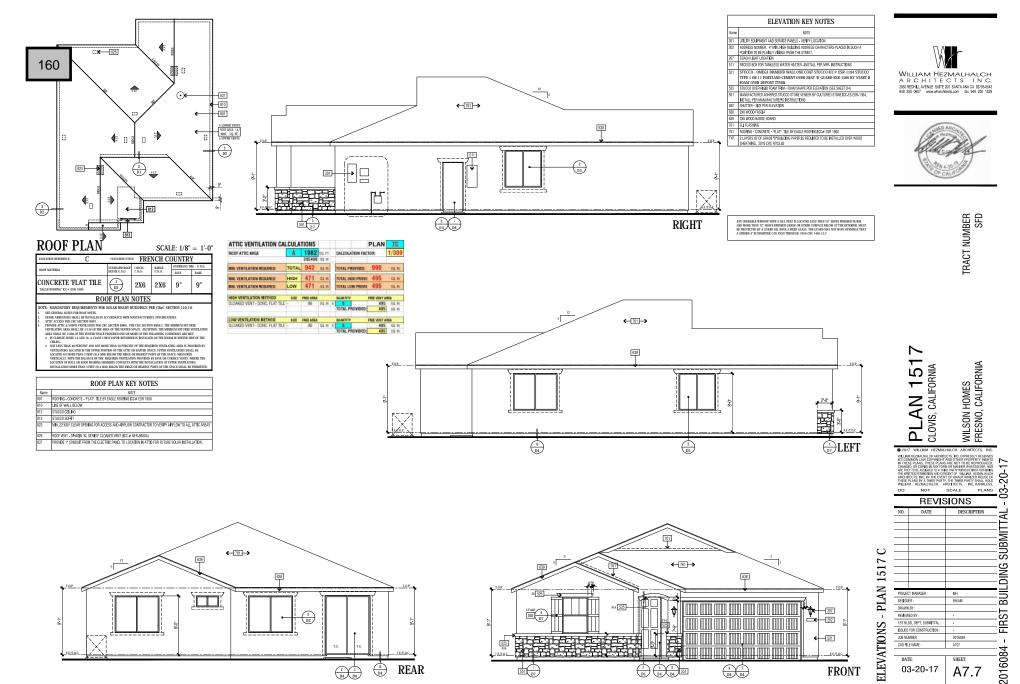
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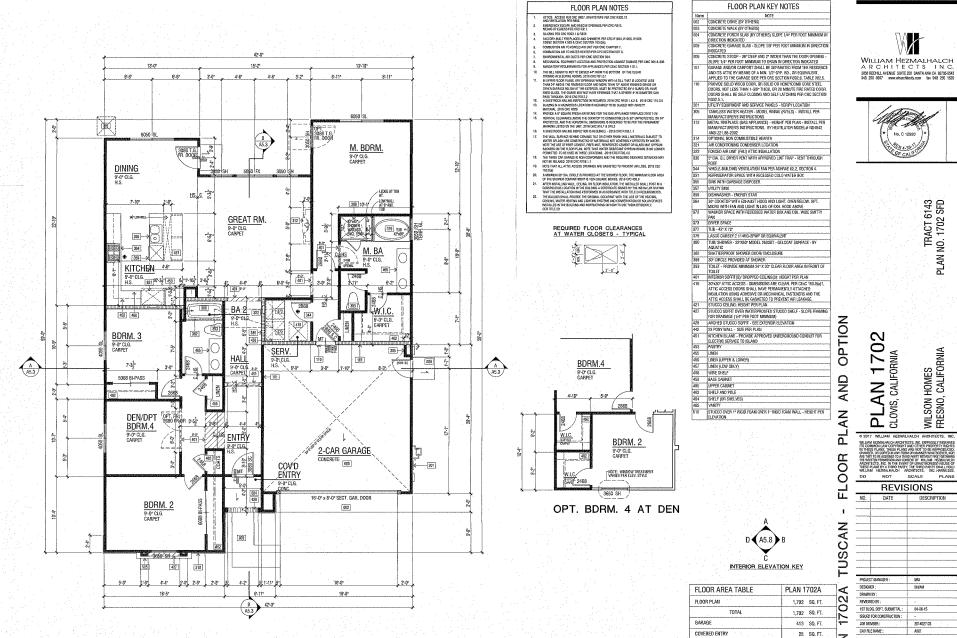
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03-20-17







FLOOR PLAN

SCALE: 1/4" = 1'- 0"

DAT 03-22-17

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SHEET

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PLAN

WILSON HOMES FRESNO, CALIFORNIA

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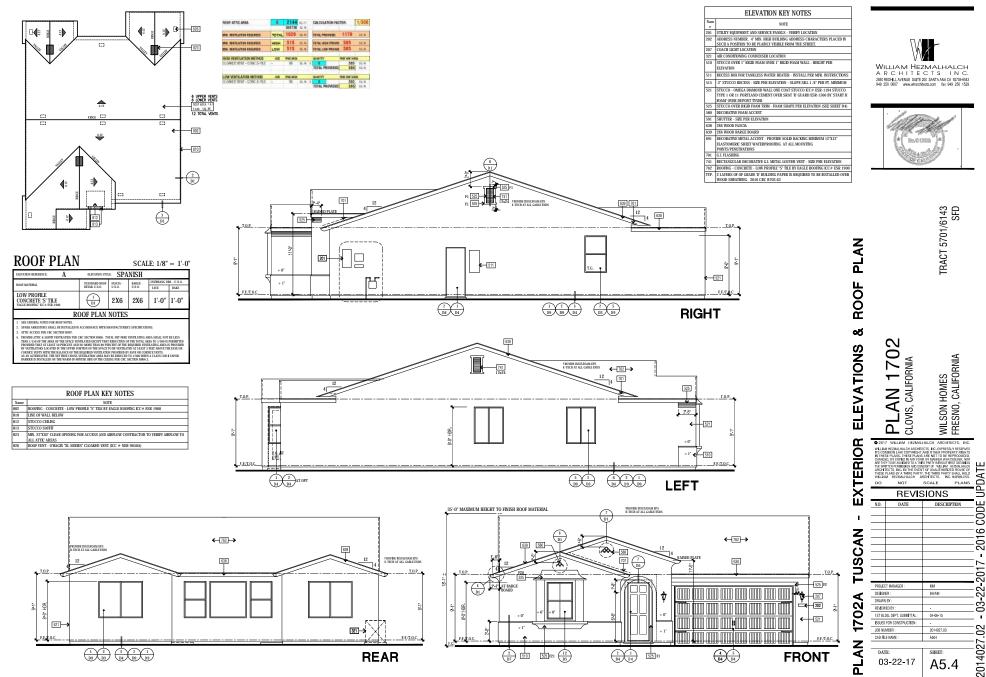
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PLANS

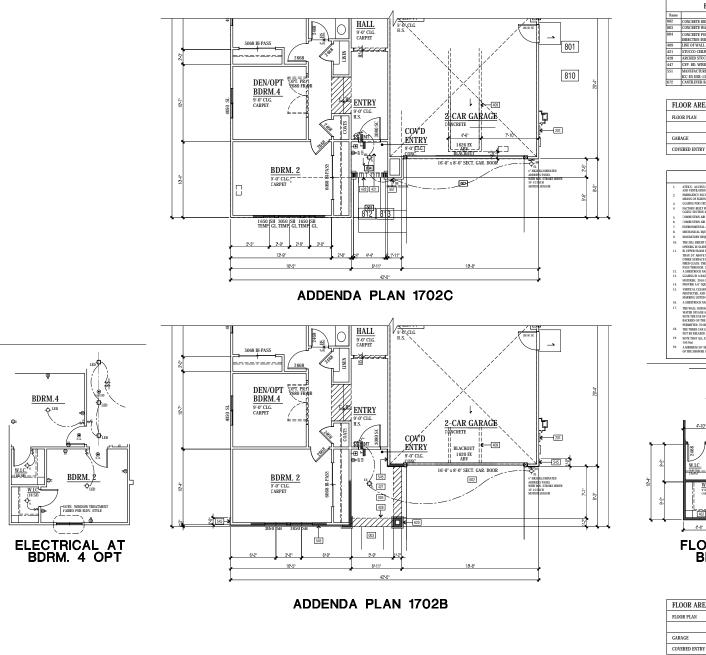
TRACT (NO. 1702



SCALE: 1/4" = 1'-0"

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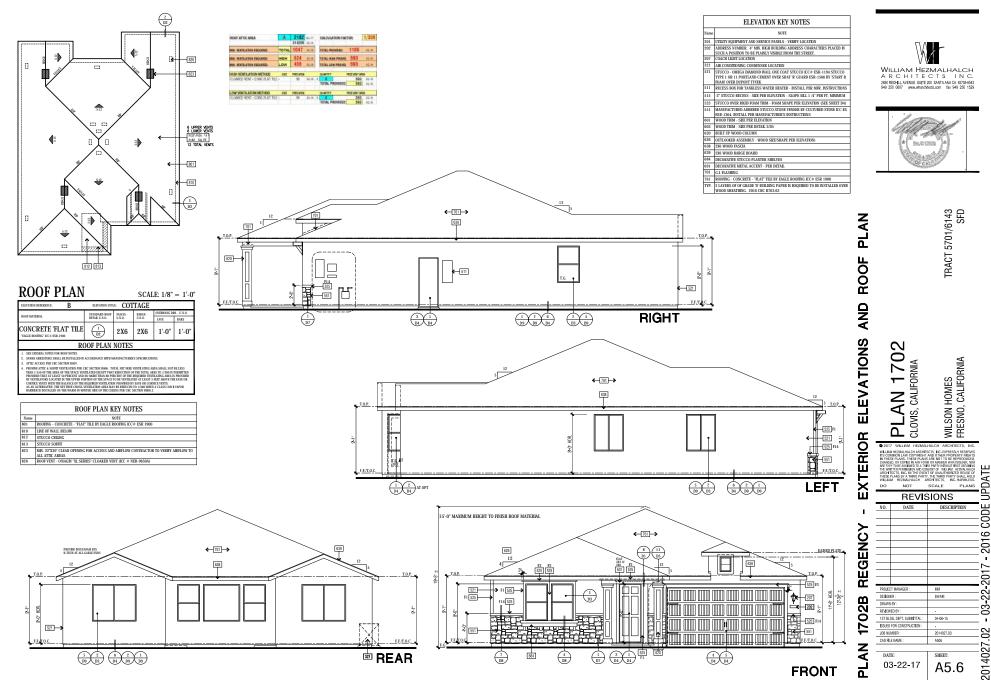
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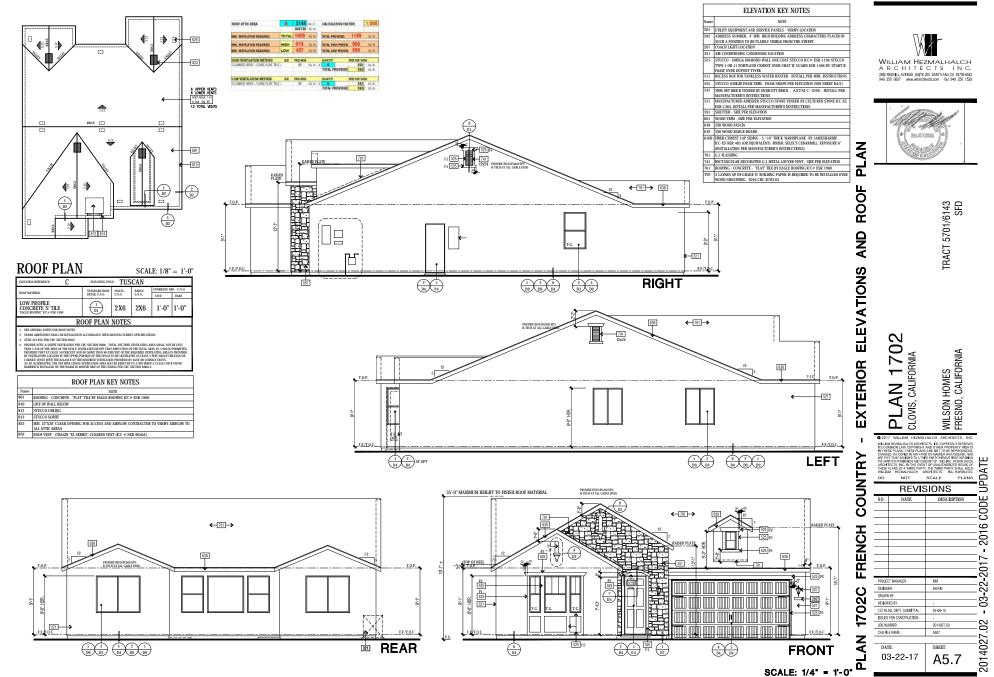
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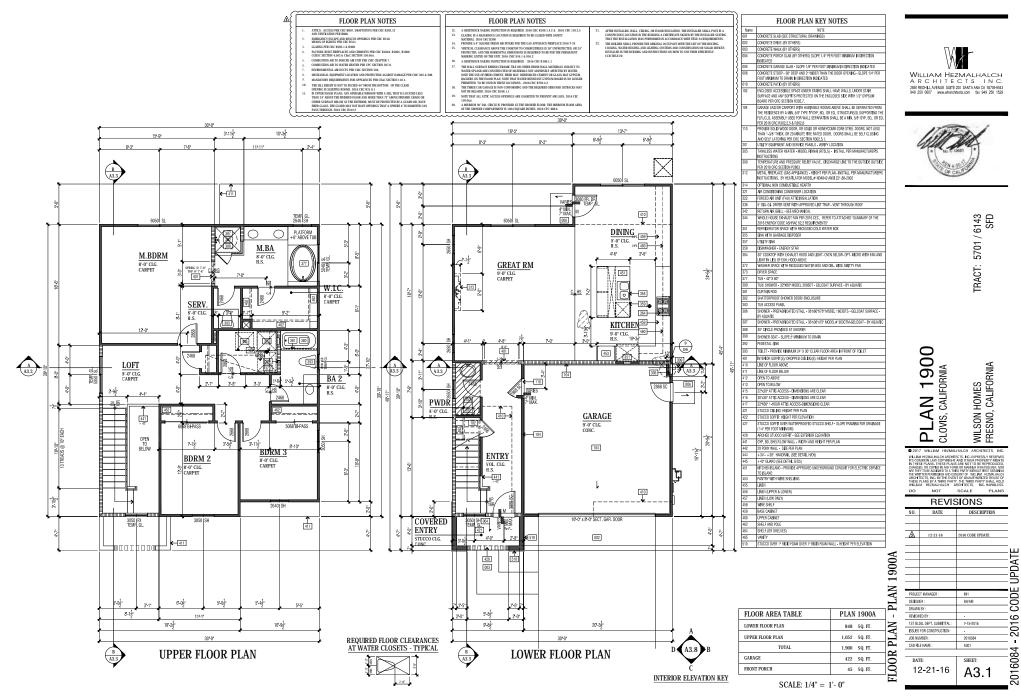
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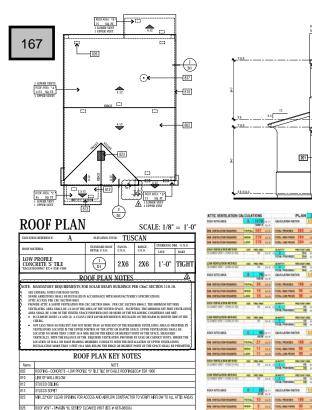


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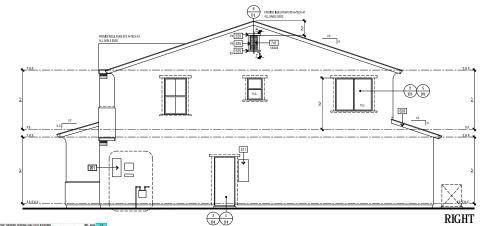


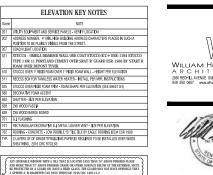


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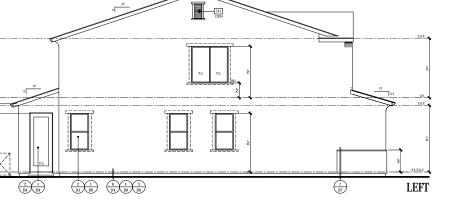
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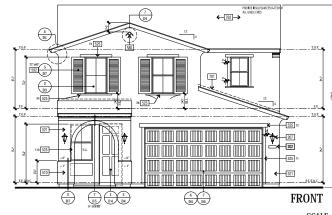


TRACT: 5701 / 6143 SFD









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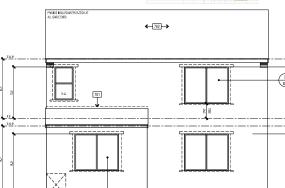
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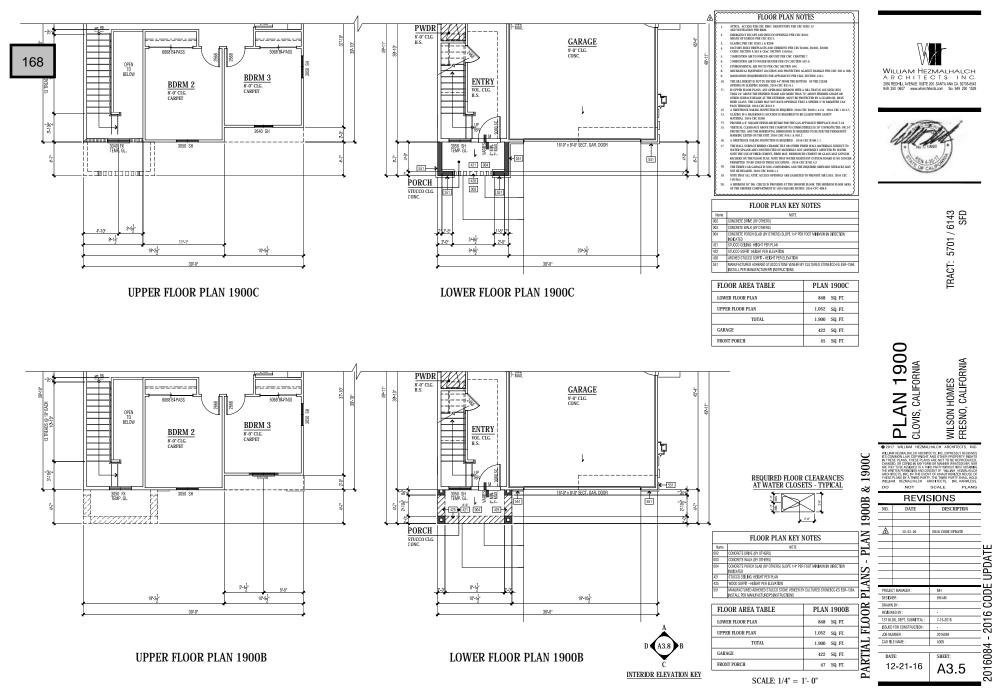
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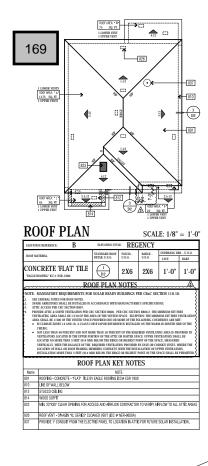
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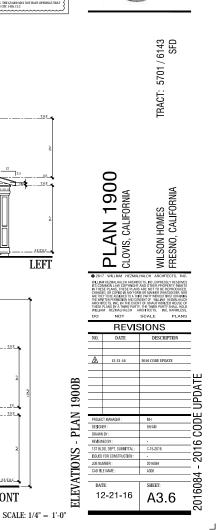
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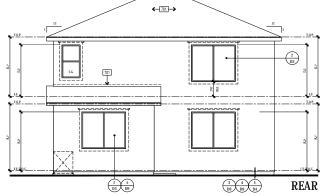
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FRONT

WILLIAM HEZMALHALCH ARCHITECTS INC.

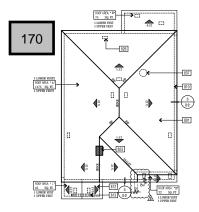
2850 REDHILL AVENUE SUITE 200 SANTA ANA CA 82705-6543 949 250 0607 www.wharchitects.com fax 949 250 1529



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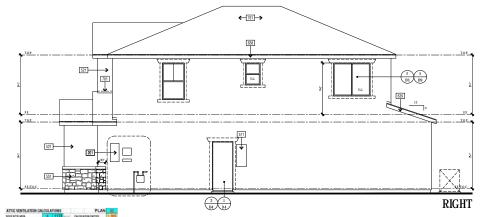
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ROOF PLAN

	ON REFERENCE:	U	ELEVATION STY	- IRL	non o	DUNTR	1
DOOR M	E MATERIAL		STANDARD ROOF FASCIA -		BARGE -	OVERHANG DDL - U.N.O.	
ROOF SECTEMAL		DETAIL U.N.O.	U.N.O.	U.N.O.	EAVE	RAKE	
	CRETE 'FI		1 D2	2X6	2X6	9"	9"
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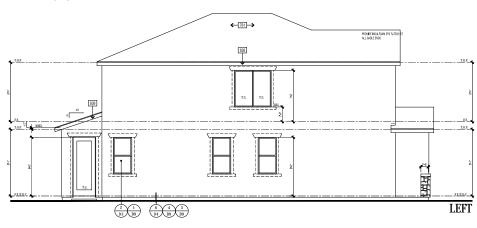


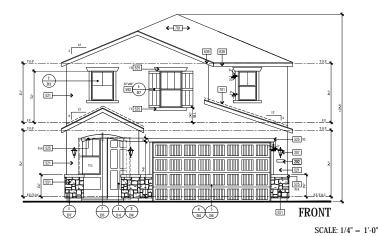
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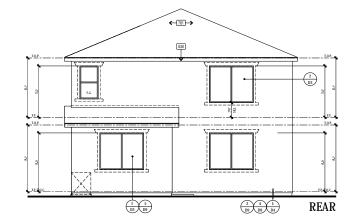




PLAN . ELEVATIONS







ATTO AREA

NUMBER OF TAXABLE PARTY OF TAXABLE PARTY

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

CALINGATION FAILTER

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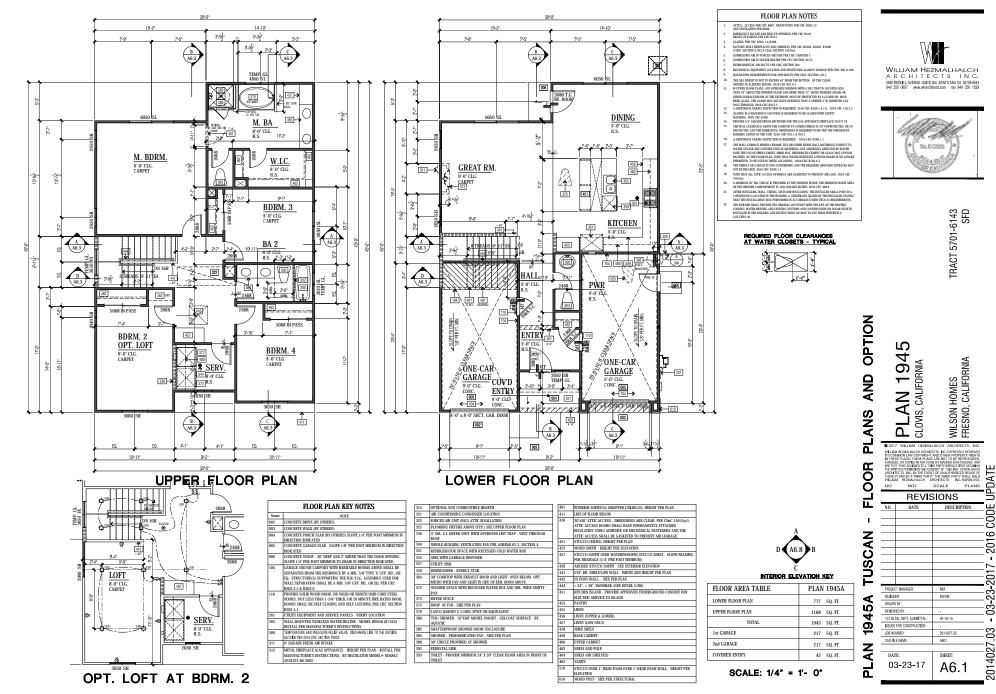
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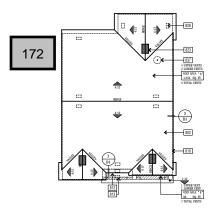


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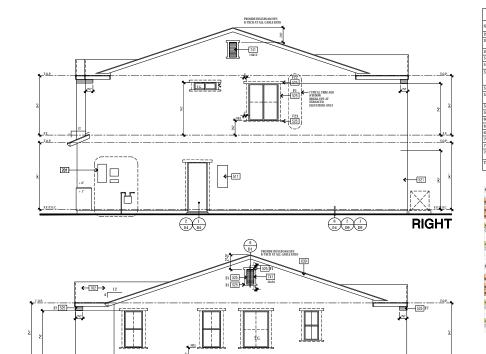
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ELEVATION KEY NOTES

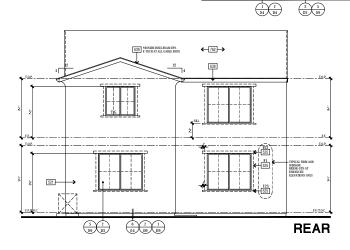




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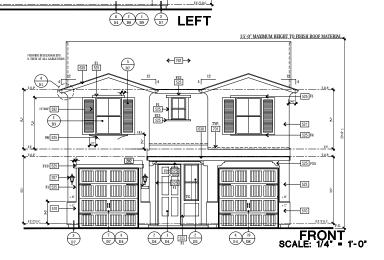
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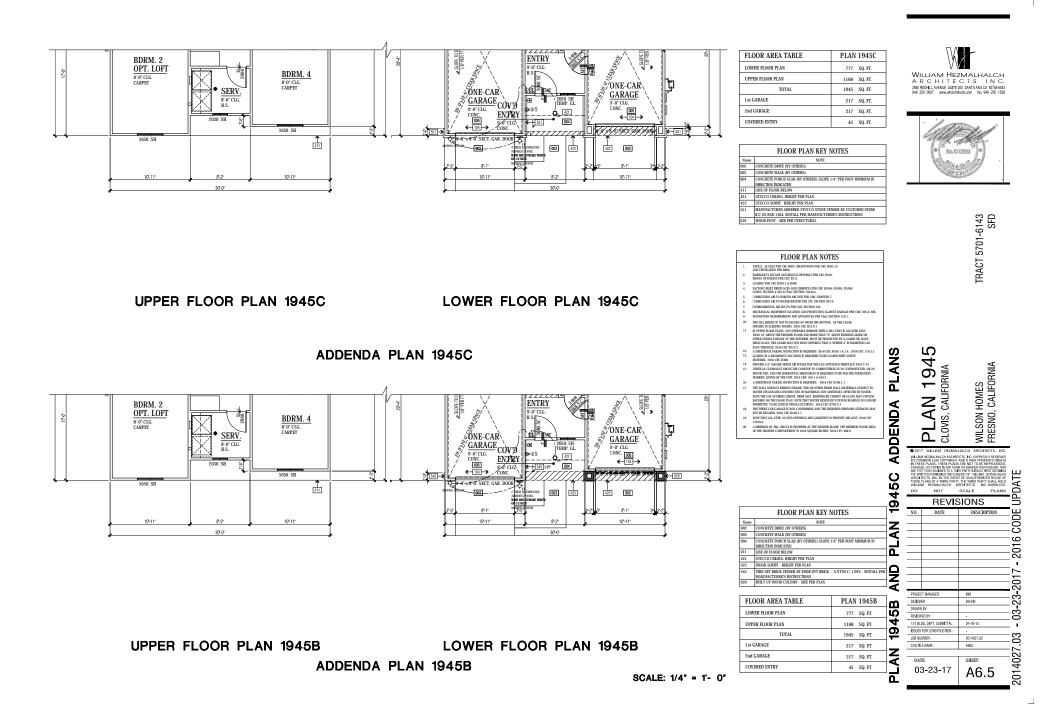
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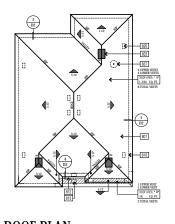
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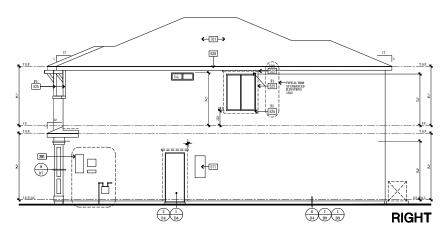
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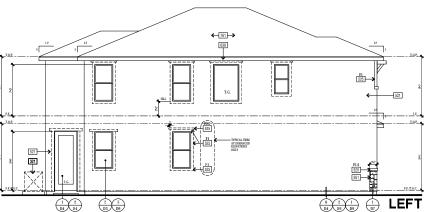




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814	WOOD SOFFIT
823	MIN. 22'X30" CLEAR OPENING FOR ACCESS AND AIRFLOW CONTRACTOR TO VERIFY AIRFLOW TO ALL ATTIC AREAS
826	ROOF VENT - O'HAGIN "XL SERIES" CLOAKED VENT (ICC # NER-9650A)
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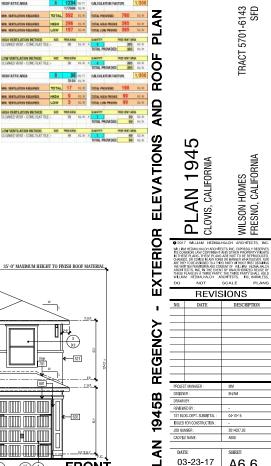
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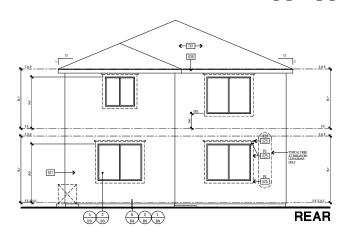
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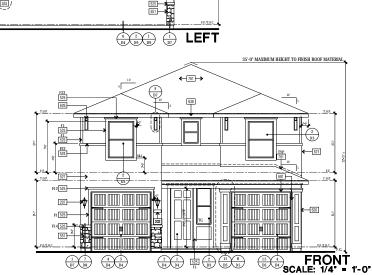
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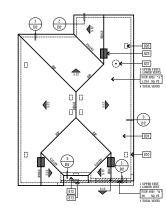
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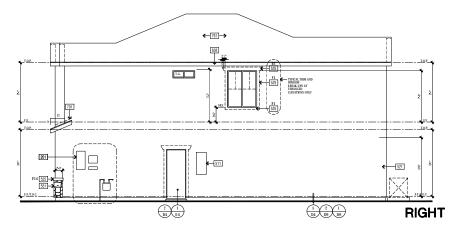
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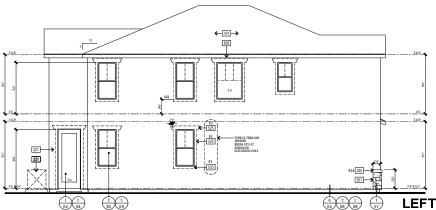
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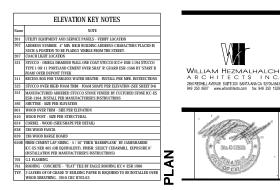
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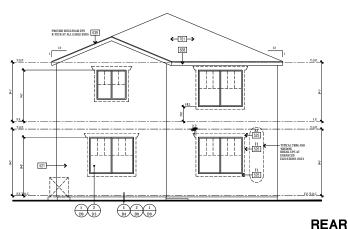


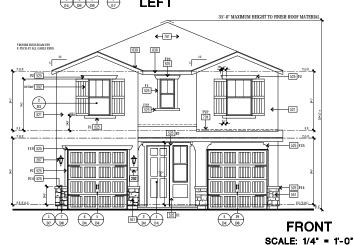




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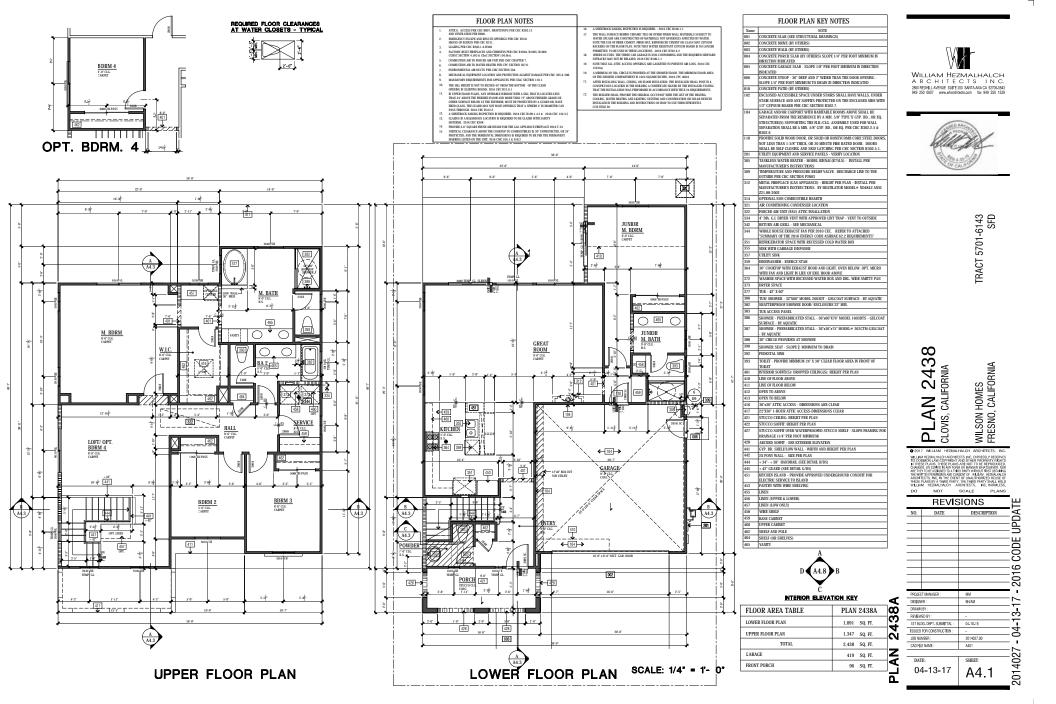
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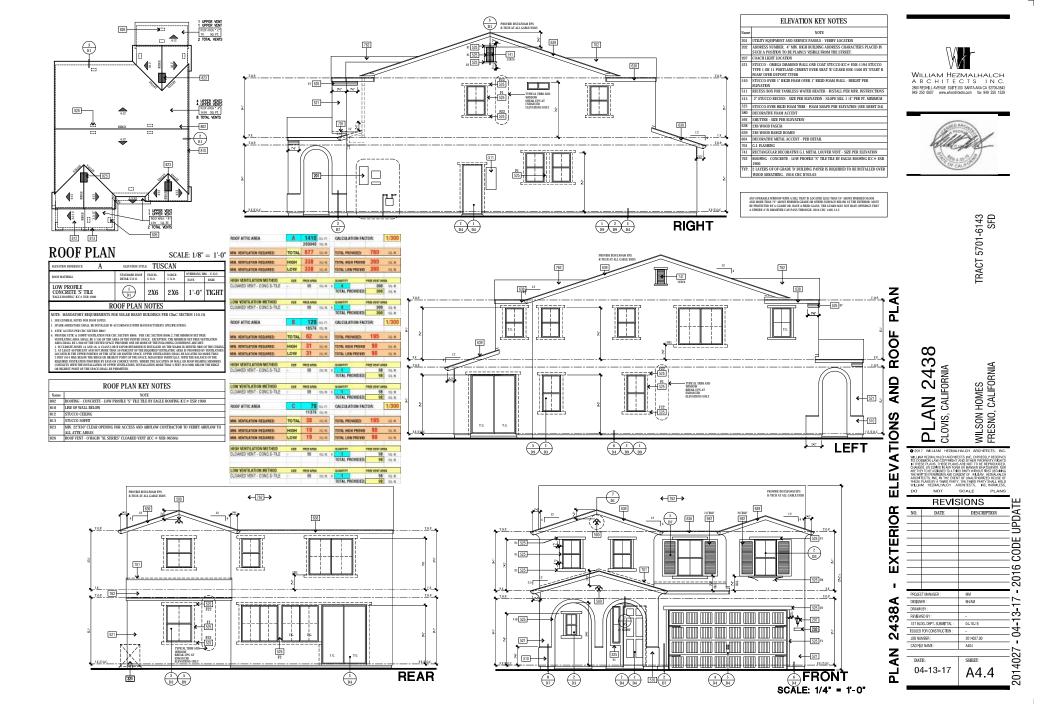
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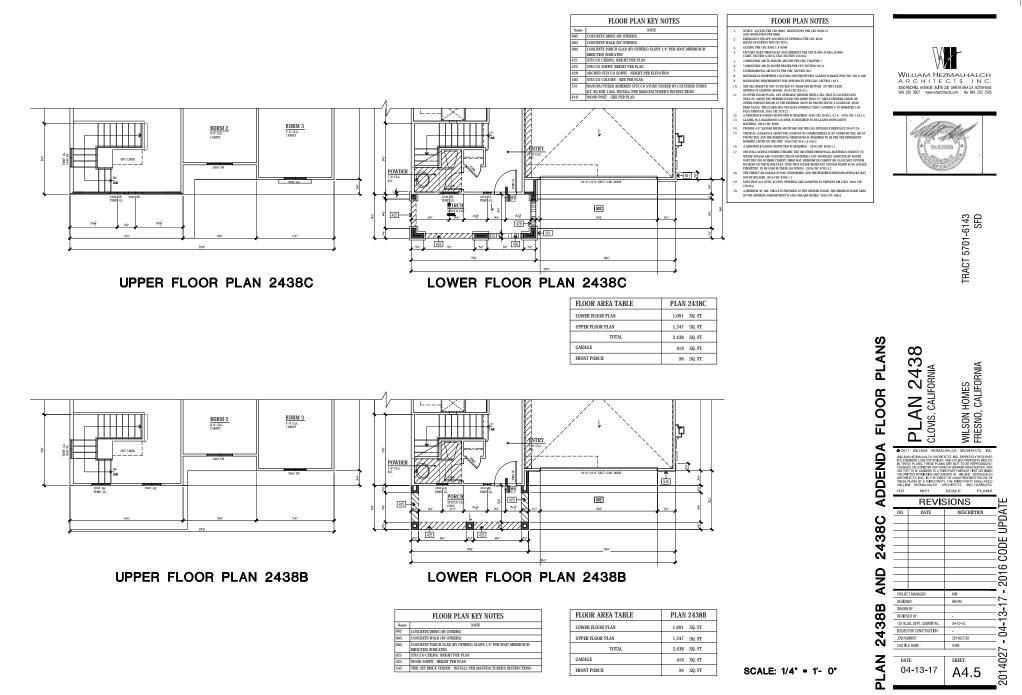
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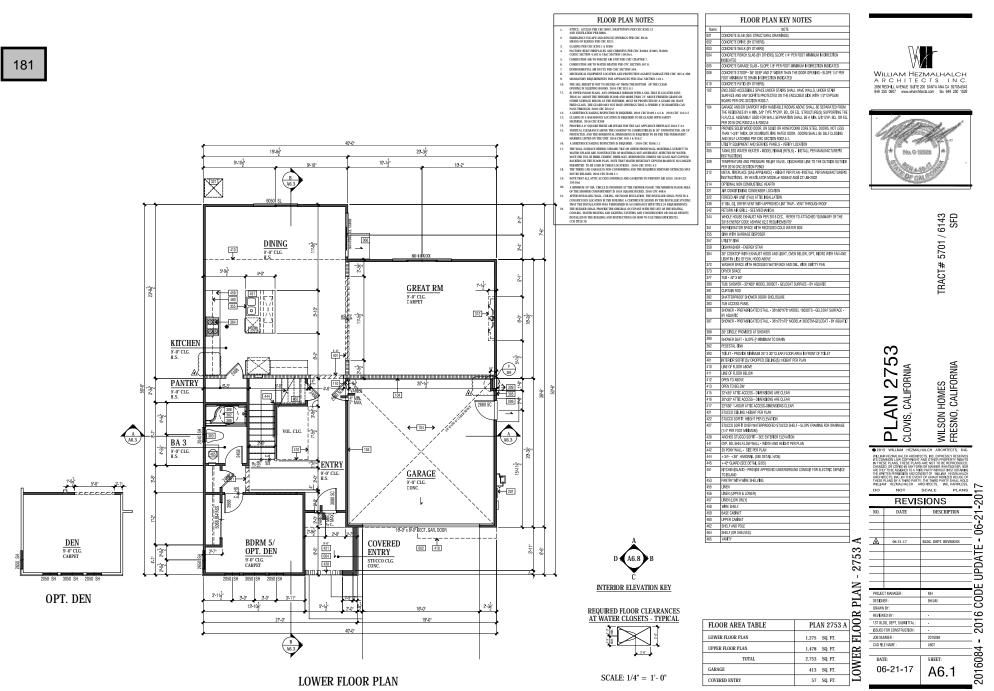


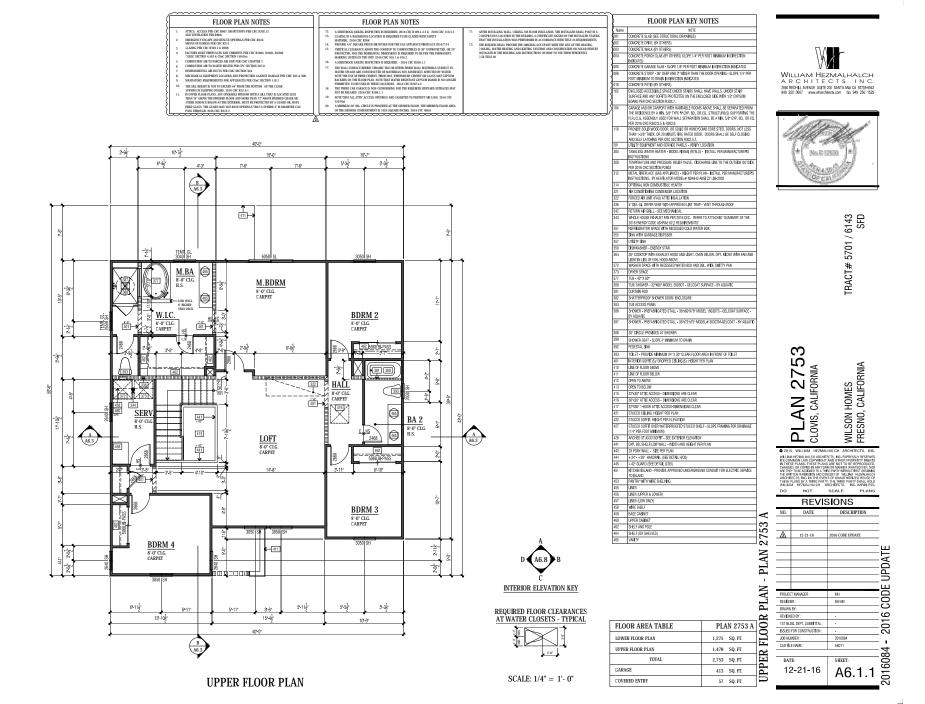




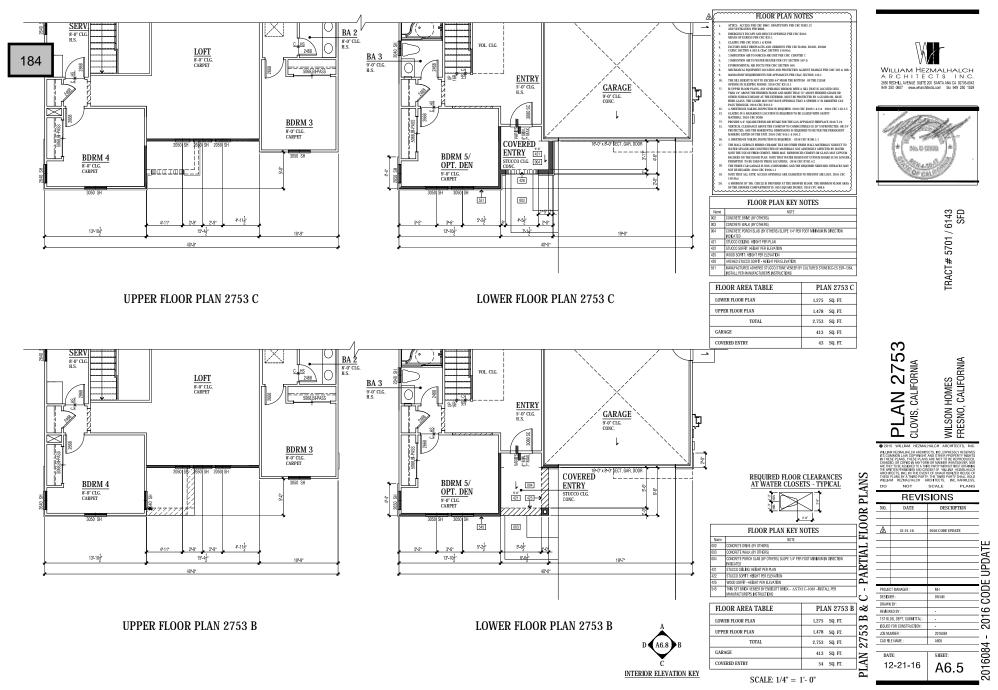


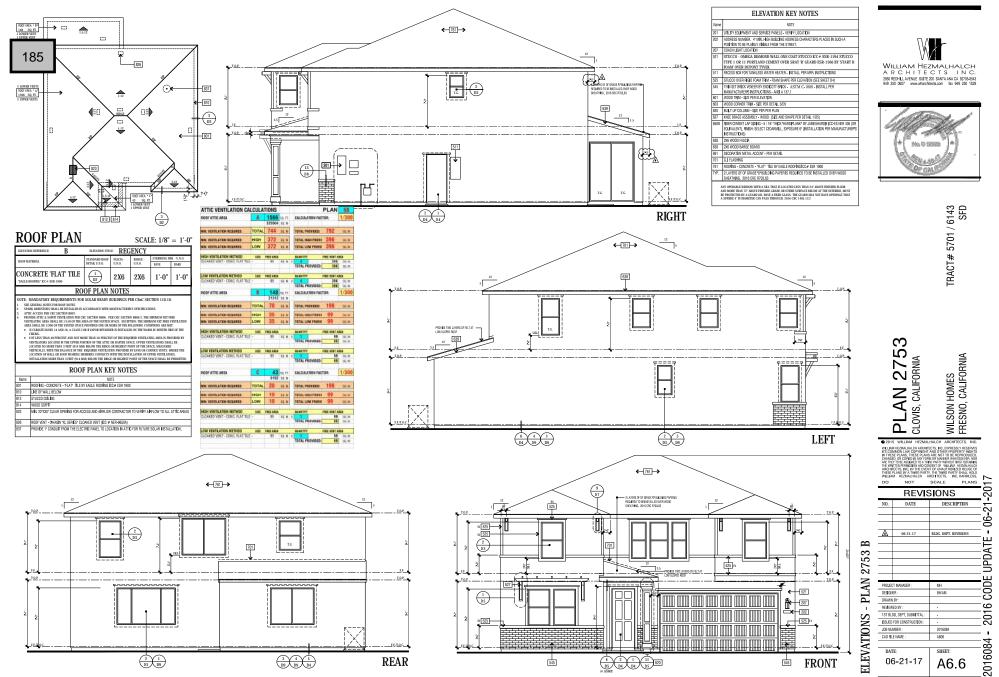






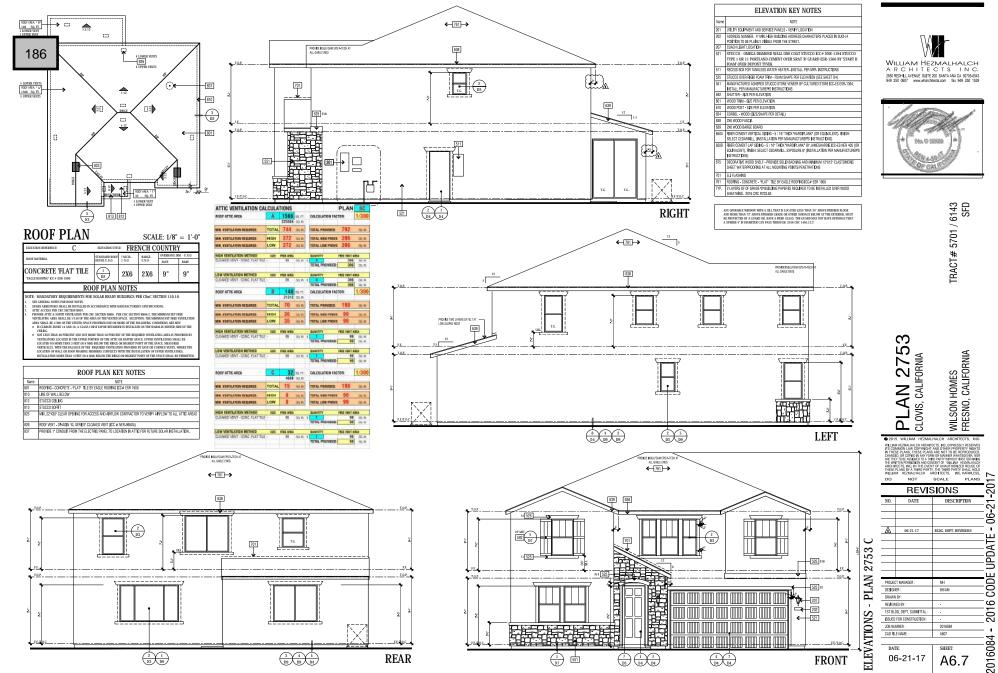






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**AGENDA ITEM NO: 5** 



# CITY of CLOVIS

REPORT TO THE PLANNING COMMISSION

- TO: Clovis Planning Commission
- FROM: Planning and Development Services
- DATE: September 27, 2018
- SUBJECT: Consider Approval, Res. 18-___, CUP2018-08, A request to approve a conditional use permit to allow for the addition of two modular buildings (a classroom and library) and an increase in the number of students from 120 students to 220, at an existing private school facility located at 108 N. Villa Avenue. Charlie Keyan Armenian Community School, owner/applicant; Shaunt Yemenjian, AIA, representative.

### ATTACHMENTS:

Figure 1:	Location Map
Exhibit "A:"	Conditions of Approval
Attachment 1:	Draft Resolution
Attachment 2:	Correspondence from Agencies
Attachment 3:	Operational Statement
Exhibit "B:"	Site Plan and Elevation

### CONFLICT OF INTEREST

None

### RECOMMENDATION

Staff recommends approval of Conditional Use Permit CUP2018-08, subject to the conditions listed in Exhibit "A."

### **EXECUTIVE SUMMARY**

The applicant is requesting approval of a conditional use permit for the expansion of an existing private school. The Project includes the addition of two modular buildings; one to provide additional classroom space, and the second building to provide for a formal library. One of the requested modular buildings was approved with a previous entitlement but was never utilized.

Additionally, the applicant is requesting approval to increase the student enrollment number from 120 students to a maximum enrollment of 220 students.

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Private schools were originally approved subject to a Director's Review and Approval (DRA). DRA2007-12 and DRA2010-05 respectively, approved a private school for 120 students and the placement of seven modular classrooms to the west of the main administration buildings. The process for review of private schools was amended with the Development Code Update in 2014, requiring conditional use permit approval. The aforementioned DRA approvals on file, approved the land use with associated modular buildings, enrollment size, and exterior site improvements for the use as it currently operates. The subject property is currently zoned R-A (Low Density Residential), and if approved, the details of the site inclusive of buildings, parking and play areas will be evaluated through the site plan review process.

### BACKGROUND

- General Plan Designation: Low Density Residential
- Specific Plan Designation: Northwest Area Specific Plan
- Existing Zoning: R-A
- Lot Size:
- Current Land Use:
- Adjacent Land Uses:
- North: Church

2.68 Acres approximately

- South: Single Family Residential
- East: Single Family Residential
- West: Single Family Residential and Church
- Previous Entitlements: DRA2007-12, DRA2010-05, SPR2007-26, 26A,

Private School

### **PROPOSAL AND ANALYSIS**

### Description of the Use

The applicant is requesting a conditional use permit to expand on an existing private school. The Charlie Keyan Armenian Community School has been operating at 108 N. Villa Avenue since 2005. At the time of the school's inception, the Clovis Municipal Code allowed private schools to operate under the Director's Review and Approval process. The DRA entitlement process was a non-discretionary public hearing conducted at the staff level with opportunity for public comment. The DRA process provided for the operation of the private school at its current location. Recent modifications to the 2014 Development Code Update altered the requirements for public schools, requiring discretionary review by the Planning Commission through the public hearing process and more specifically, requiring review through a conditional use permit.

The applicant is requesting an increase in the current allowed student enrollment of 120 students to provide for an anticipated future enrollment of up to 220 new students in the future. In anticipation of the increase, the applicant is also seeking approval to provide additional structures to handle the increase in students and to provide a formal library

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on-site. Additionally, the Project involves the relocation of the existing basketball courts to the west of the school in order to create additional parking and provide for the placement of the two modular buildings to meet the school's anticipated demand. Lastly, the renovation of the open space will provide an opportunity for the placement of an outdoor courtyard for use as an outdoor forum for future school related events.

### Site and Surrounding Uses

The project site is approximately 2.68 acres located at 108 N. Villa Avenue, between Sierra and Herndon Avenues. The existing private school is bounded by a church on the north, residential on the south and east, and a church and residential on the west.

The parking area for the facility exists but will be modified to include additional off-street parking to accommodate the proposed expansion. With development of the site, the applicant will provide sufficient off-street parking for the proposed use.

### Modular Buildings

The applicant received Planning Division approval in 2010 under DRA2010-05, for the addition of three modular units for additional classroom space. The applicant actually placed only two of the three units approved on the site for a total of seven modular classroom buildings. Technically, the applicant is requesting the addition of an eighth modular with the subject use permit request; however, since the applicant's request requires utilizing the previously unused modular building at a different location from the originally approved site, staff is considering the applicant's request as the placement of two modular units. Use Permit approval would memorialize the applicant's request for the private school.

### Modular Buildings Time Lines

DRA2010-05 placed a time limit on the placement of modular buildings with the opportunity to seek an amendment for additional time. DRA approval for the modular is set to expire in 2018 and the subject use permit would provide an opportunity to extend the life of the approval. The applicant has indicated that the vision for the school is to remove the modular buildings in the future to provide for a permanent facility on the subject site. Staff recommends approval of the use permit with the granting of an additional ten year period from time of construction.

### <u>Play Areas</u>

DRA2007-12 and DRA2010-05, approved the outdoor placement of basketball/volleyball courts directly behind the main building. Additionally, a soccer field was also approved at the west end of the Project site. The applicant is proposing to relocate the basketball courts to the west side of the school in order to place the two modular buildings and provide additional parking directly west of the existing main administration building. With approval, the existing soccer field will remain, and the

applicant will develop a new basketball/volleyball court adjacent to the soccer field. Specific details of the proposed outdoor area would be evaluated through a separate site plan review amendment.

### Hours of Operation

The applicant has stated the hours of operation for the school will be from 7:45 a.m. to 5:30 p.m. daily. The school does not intend to conduct extracurricular activities on weekend and holidays. Depending upon the type of use and the adjacency of residential properties, it is sometimes appropriate to limit the hours of operation through the conditional use permit process. In this case, because the project is a private school and is located in an area with a varied type of uses, this use does not warrant a limitation of its hours of operation. Special events, such as conferences, assemblies, organized team sport events, or programs outside of these hours would be permissible on an occasional basis.

### Parking

Parking for a private school use is calculated on a basis of one parking space for each faculty and employee member. Based on the applicant's exhibit, the applicant is proposing 38 total stalls. The applicant's Operational Statement indicates that the school will operate with sixteen full-time staff members and three part-time employees. The proposed parking count exceeds the required off-street parking requirements, providing more than adequate parking fields. Parking stall size and circulation will be confirmed through the site plan review amendment process.

### <u>Signs</u>

Signage for the existing facility will be calculated utilizing the City's Sign Ordinance. Any proposed signs shall receive sign review approval prior to construction. Free standing signage shall be of a monument style and externally illuminated.

### **Review and Comments from Agencies**

The Project was distributed to all City Division 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, State Department of Fish and Game, and the County of Fresno

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.

### Public Comments

Staff sent notices to property owners within 300 feet of the project boundaries. No comments have been received upon finalization of this staff report.

### California Environmental Quality Act (CEQA)

The Project is in substantial conformance with the environmental impact report performed for the 2014 General Plan. No major revisions will be required with the adopted Environmental Impact Report to accommodate the proposed projects, therefore, subject to CEQA Sections 15162 and 15182 no further environmental review is required

The City published notice of this public hearing in *The Business Journal* on Wednesday, September, 12, 2018.

### FISCAL IMPACT

None

### REASONS FOR RECOMMENDATION

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).

The proposed amendment provides the applicant the ability to expand student enrollment and provide additional academic resources as it continues to grow. The proposed use would not cause a detrimental impact on adjacent uses and can be accommodated on the site. Staff therefore recommends that the Planning Commission approved CUP2018-08, subject to the conditions of approval listed as Exhibit "A."

### **ACTIONS FOLLOWING APPROVAL**

None

### **NOTICE OF HEARING**

Property owners within 300 feet notified:	43
Interested individuals notified:	

Prepared by:

Orlando Ramirez, Deputy City Planner

Bryan Araki

City Planner

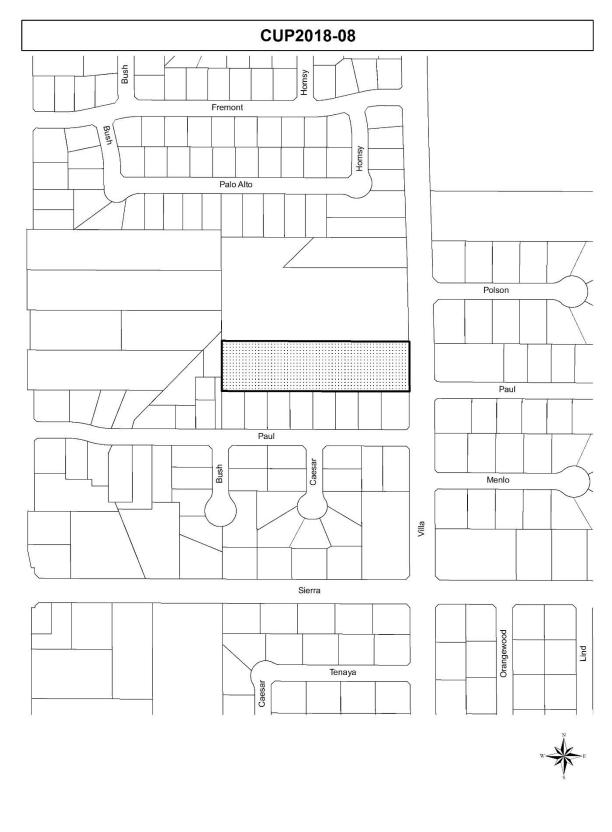
Reviewed by:

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### FIGURE 1

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### **PROJECT LOCATION MAP**



CUP2018-08

### EXHIBIT "A" Conditions of Approval – CUP2018-08

### PLANNING DIVISION CONDITIONS (Orlando Ramirez, Division Representative – (559) 324-2345)

- 1. All conditions of DRA2007-12, DRA2010-05, SPR2007-06, and SPR2007-06A are included in this approval by reference.
- 2. This conditional use permit specifically allows for the Private School (Nursery through 8th grade) on the property located near northwest corner of Villa and Paul Avenues (108 North Villa Avenue).
- 3. This conditional use permit is approved per the attached Exhibit "B," of this report. Specific details will be evaluated with the site plan review. Any major modification will require an amendment to this conditional use permit
- 4. Subject to Section 9-3.408 of the Clovis Municipal Code, the applicant shall apply and receive approval of a site plan review application prior to construction.
- 5. Any signs shall receive sign review approval prior to construction. Free standing signage shall be of a monument style and externally illuminated.
- 6. Should the private school use be abandoned or cease to exist for a period of 120 days, the Director Review and Approval shall be scheduled for revocation.
- 7. Applicant must have on file, a current City of Clovis Business License prior to conducting sales.
- 8. The hours of operation for the school shall not exceed 7:45 a.m. to 5:30 p.m. daily. Special events, such as conferences, assemblies, organized team sport events, or programs outside of these hours are permissible on an occasional basis.
- 9. The hours of use for the playground shall not exceed 7:30 a.m. to 3:30 p.m. daily, with the exception of occasional use till 5:00 p.m. for organized team sports, with no use of the playground on Saturday and Sunday.
- 10. The two new portable modular units shall not remain on the property longer than ten (10) years following the completing of construction. Existing modular units are subject to the same removal timeframe. After the ten year approval period, the applicant may amend the Conditional Use Permit to request for additional time.
- 11. The applicant shall preserve the oak trees currently on the property.
- 12. The use (Private School) shall not exceed the noise standards of the Clovis General Plan.

- 13. CUP2018-08 may be reviewed one year following the completion of construction. Clovis Planning staff may conduct a review of the use in regard to conditions of approval and present findings of this review to the City Planner.
- 14. All of pick up and drop off shall be conducted on site.
- 15. Any proposed lighting in the parking lot, play area, and adjacent to the day care structure shall be directional and non-obstructive to adjacent land uses. The lighting proposed shall be approved by the City Planner at the site plan review phase.
- 16. Lighting for the playground and portable classrooms shall be limited to security lighting and shall not be detrimental to adjacent homes.
- 17. The private school shall be limited to a maximum enrollment of 220 students.
- 18. With the exception of emergency public address systems, there shall be no outdoor public address systems used on site.
- 19. Applicant shall be responsible for notifying parents of students not to use Paul Avenue as a short cut or route to the school.
- 20. There shall be no play area within twenty (20) feet of the masonry wall adjacent to residential uses.
- 21. Playground equipment shall not exceed six feet in height within 50 feet of any adjacent property.
- 22. No parking related to this use or drop off or pick up of students shall occur on Paul Avenue.
- 23. Any proposed expansion of the existing structure and/or yard area as shown on the site plan will require the submittal of an amendment to the site plan review. Any proposed development on the site, other than that depicted on the approved exhibit, will require an amendment of the Director Review and Approval.
- 24. All non-permitted buildings, structures, and portable containers shall be removed from the property prior to occupancy of the proposed classrooms.

### FRESNO METROPOLITAN FLOOD CONTROL DISTRICT CONDITIONS (Robert Villalobos, FMFCD Representative – (559) 456-3292)

25. Applicant shall comply with the requirements of the FMFCD. If the list is not attached, please contact the District for the list of requirements.

### <u>FRESNO IRRIGATION DISTRICT CONDITIONS</u> (Chris Lundeen, FID Representative - 233-7161 ext. 7410)

26. 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 HEALTH DEPARTMENT CONDITIONS

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

27. The Applicant shall refer to the attached Fresno County Health Department correspondence. If the list is not attached, please contact the District for the list of requirements.

### DRAFT RESOLUTION 18-____

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING A CONDITIONAL USE PERMIT FOR MODIFICATION TO AN EXISTING PRIVATE SCHOOL FACILITY LOCATED AT 108 N. VILLA AVENUE

WHEREAS, Charlie Keyan Armenian Community School, 108 N. Villa Avenue, Clovis, CA, 93612, has applied for a Conditional Use Permit CUP2018-01; and

WHEREAS, this is a request to approve a conditional use permit to allow for the addition of two modular buildings (a classroom and library) and an increase in the number of students from 120 students to 220, at an existing private school facility located at 108 N. Villa Avenue, in the City of Clovis, County of Fresno; and

WHEREAS, a public notice was sent out to area residents within 300 feet of said property boundaries ten days prior to said hearing; and

WHEREAS, a duly noticed hearing was held on September 27, 2018; and

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 Exhibit "A" 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. That, based upon the Initial Study and comments received, there is no substantial evidence that the project will have a significant effect on the environment.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Clovis Planning Commission does approve CUP2018-08, subject to the attached conditions labeled Exhibit "A"

* * * * *

The foregoing resolution was adopted by the Clovis Planning Commission at its regular meeting on September 27, 2018, upon a motion by Commissioner _____, seconded by Commissioner _____, and passed by the following vote, to wit:

AYES: NOES: ABSENT: ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 18-____ DATED: September 27, 2018

Paul Hinkle, Chair

ATTEST:

Dwight Kroll, AICP, Secretary

CORRESPONDENCE

**ATTACHMENT 2** 

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 1 of 3

### PUBLIC AGENCY

PROJECT NO: 2018-008

f.)

**ORLANDO RAMIREZ** DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES **CITY OF CLOVIS 1033 FIFTH STREET CLOVIS, CA 93612** 

#### DEVELOPER

CHARLIE KEYAN, ARMENIAN COMMUNITY SCHOOL 108 N. VILLA AVE. **CLOVIS, CA 93612** 

File No. 210.433

PROJECT NO:	2018-008			1
ADDRESS:	108 N. VILLA	9/.1		
APN:	491-061-20, 491-061-91			SENT: 4/18
Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
5B/5C	\$0.	00 NOR Review	\$86.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$0.00	Amount to be submitted with first grading plan submittal.
	Total Drainage Fee: \$0.	00 Total Service Charge	: \$86.00	

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 8/13/18 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:

Fees related to undeveloped or phased portions of the project may be deferrable. a.)

5% of the refund whichever is less will be retained without fee credit.

Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district under b.) 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.
- The actual cost incurred in constructing Master Plan drainage system facilities is credited against the drainage fee d.) obligation.
- When the actual costs incurred in constructing Master Plan facilities exceeds the drainage fee obligation, e.) reimbursement will be made for the excess costs from future fees collected by the District from other development.

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

200

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

Page 2 of 3

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

- 1. <u>X</u> a. Drainage from the site shall BE DIRECTED TO VILLA AVENUE.
  - **b.** Grading and drainage patterns shall be as identified on Exhibit No.
  - 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
  - X 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
  - X None Required
- 4. Availability of drainage facilities:
  - **X 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.
  - 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.)
  - X 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.

201

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

#### Page 3 of 3

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.

See Exhibit No. 2 for additional comments, recommendations and requirements.

amebell

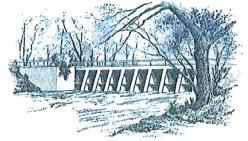
Debbie Campbell Design Engineer

Robert Villalobos Project Engineer

. CUP No. 2018-008

202

7.



OFFICES OF

RRIGATION STRICT

PHONE (559) 233-7161 FAX (559) 233-8227 2907 SOUTH MAPLE AVENUE FRESNO, CALIFORNIA 93725-2218

Your Most Valuable Resource - Water

August 4, 2010

Mr. Bryan Araki City of Clovis Planning & Development Services 1033 Fifth Street Clovis, CA 93612

RE: Site Plan Review 2007-26A, N/W Sierra and Villa Avenues FID's Clovis West Branch No. 115

Dear Mr. Araki:

The Fresno Irrigation District (FID) has reviewed the Site Plan Review 2007-26A where the applicant request to amend the site plan review to add three classrooms to an existing school, located northwest of Sierra and Villa Avenues, APN: 491-061-20 and 91, and has the following comments:

- 1. FID does not own, operate or maintain any facilities located on the applicant's property as shown on the attached FID exhibit map.
- For informational purposes; FID's Clovis West Branch Canal crosses Villa Avenue approximately 475-feet north of the subject property as shown on the attached FID exhibit map. Should any street improvements be required along Villa Avenue and in the vicinity of the canal crossing, FID requires it review and approval of all plans.
- 3. For informational purposes, a private branch of the Clovis West Branch Canal runs southwesterly, adjacent to the northwest corner of the subject properties as shown on the attached FID exhibit map. FID does not own, operate or maintain this private canal. FID's records indicate that the canal is active and will need to be treated as such. FID can supply the City with a list of users for this private line upon request.

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 Steve Bloem at 233-7161 extension 321 or sbloem@fresnoirrigation.com.

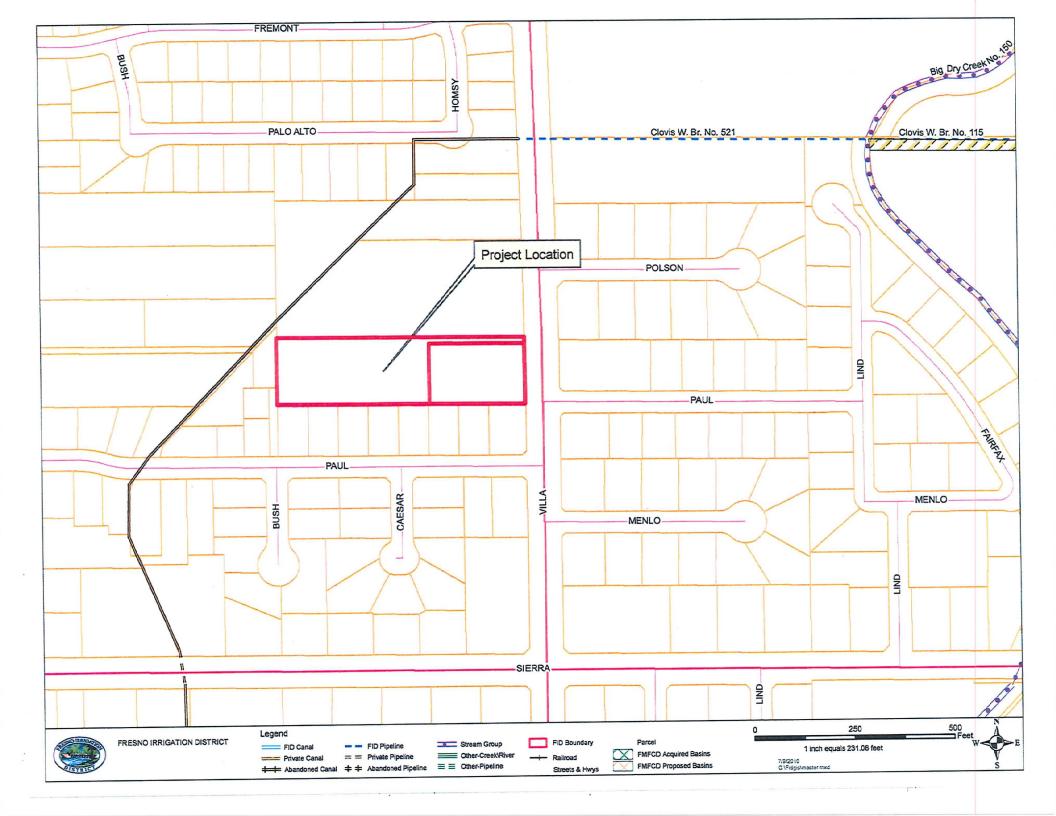
Sincerely

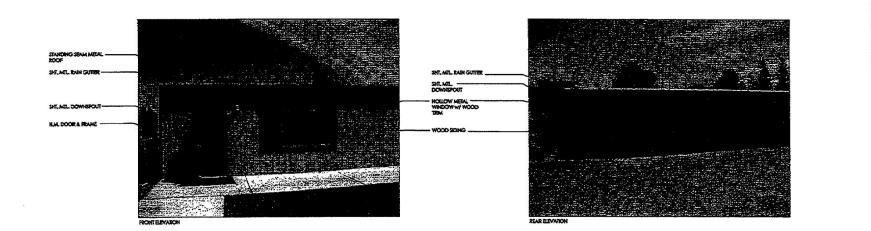
William R. Stretch, P.E. Chief Engineer

Attachment

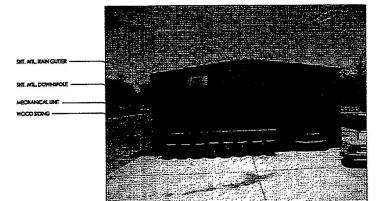
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BOARD OF





___ ·



SDE BEVATION

#### TYPICAL BUILDING MATERALS

Site plan review Drawn by: Sity/ IT/D PROJECT MARGE:

PROJECT DIFORMATION: DATE: 6.10.2010 PREPARED FOR:

design

3259 san femando road los argeles, or 90055 1, 626,296,0795 1724 broadway s2, sulta 2 freero, ca s03721 1, 559,462,7249

www.speciodeeignstucio.com

ARMENIAN COMMUNITY

SCHOOL OF FRESNO

ADORESS: 108 N. Villa Ave. Clovis, CA 93612

SUBMITTED TO: City of Clovis 1033 Fifth Street

STANP:

Clovis, CA 93612

CHARLIE KEYAN

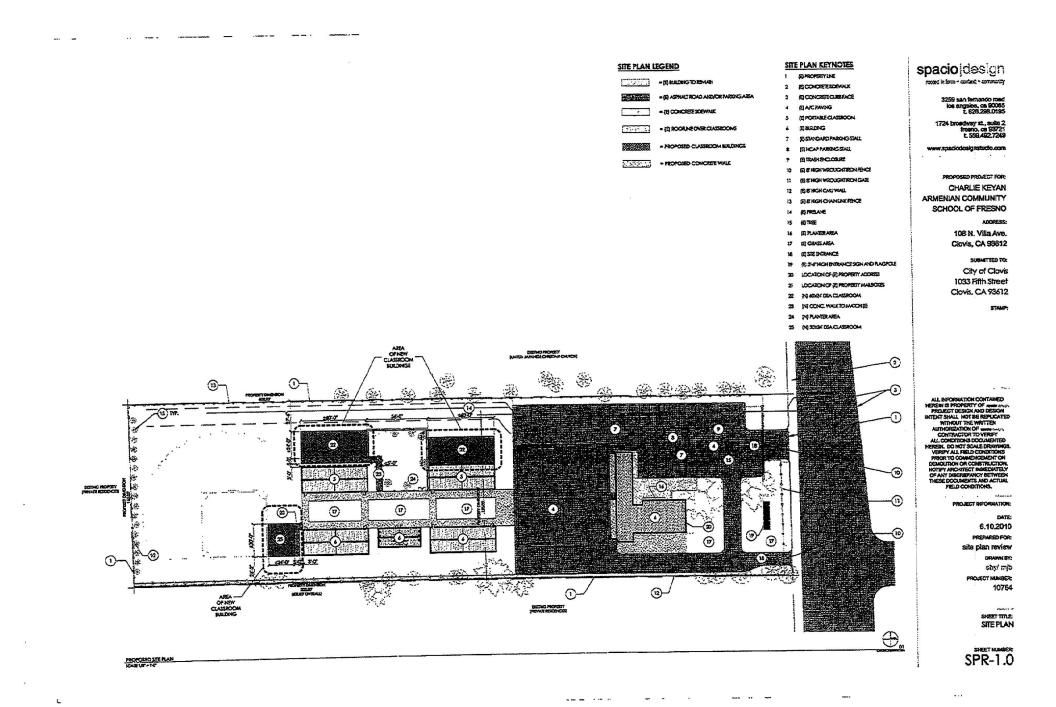
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10764

SHEET TITLE: SPR - MATERIALS

SPR-1.2

Q1



. . . . . . . . . . . . . . . .

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# **County of Fresno**

### **DEPARTMENT OF PUBLIC HEALTH**

David Pomaville, Director Dr. Sara Goldgraben, Health Officer

> LU0019607 2604

Orlando Ramirez, Senior Planner City of Clovis Planning and Development Services Department 1033 Fifth Street Clovis, CA 93612

Dear Mr. Ramirez:

August 14, 2018

PROJECT NUMBER: CUP2018-08

**CUP2018-08**; A request to approve a conditional use permit to increase student enrollment cap from 120 to 220. Seeking to expand current educational facilities to accommodate the growth in student body for the 2018-1019 academic year.

### APN: 461-061-20, 91 ZONING: R-A ADDRESS: 108 N. Villa Avenue

Recommended Conditions of Approval:

- If the applicant 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 (<a href="http://cers.calepa.ca.gov/">http://cers.calepa.ca.gov/</a>). Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
- The proposed construction project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.

**REVIEWED BY:** 

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

(559) 600-3271

KΤ

cc: Steven Rhodes- Environmental Health Division (CT. 56.06) Shaunt Yemenjian- Applicant (<u>shaunt.yemenjian@ckacs.org</u>)

> 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 The County of Fresno is an Equal Employment Opportunity Employer www.co.fresno.ca.us • www.fcdph.org



# **Charlie Keyan Armenian Community School**

### Չարլի Քէյեան Համագաղութային Հայ Վարժարան

	OPERATIONAL STATEMENT
DATE	July 26, 2018
TO:	Dwight Kroll, Planning Director Bryan Araki, City Planner
FROM:	Curtis Shamlin, Principal
PROJECT:	Charlie Keyan Armenian Community School
SUBJECT:	CUP Amendment – Request to Increase Student Capacity from 120 to 220
ADDRESS:	108 N. Villa Ave, Clovis, CA, 93612

Curtis Shamlin Principal

Board of Education

Shaunt Yemenjian, AIA Chairman Christina Zakarian, CPA Vice Chairman Maral Kismetian, MPA, CRA Treasurer Sareen Creede Secretary Rosie Bedrosian Marc Days

Nyrie Karkazian Rev. Mike Mekredijian Christopher Shamlian, DDS

> 108 N. Villa Ave. Clovis, CA 93612

t. 559.323.1955 principal@ckacs.org board@ckacs.org

www.ckacs.org

501(c)3 Nonprofit Organization

> Federal Tax ID: 94-2459753

Accredited by: Western Association of Schools and Colleges



Dear Planning Director,

Charlie Keyan Armenian Community School requests amendment to our existing CUP to increase student enrollment cap from 120 to 220. We are seeking to expand our current educational facilities to accommodate the growth in student body for the 2018-2019 Academic Year. Our current site includes approximately 3,000sf of Assembly Hall and Admin Offices; 9,300sf of Classrooms and we have submitted plans to Building & Planning Departments for two new modular buildings – a new classroom and a new library which will add 1,920sf of education space to our campus. With the addition of the new units we are also redesigning the site to include a new outdoor courtyard, a landscaped wooden screen wall, an educational farm garden and a free-speech stage for the students –designed to be fully accessible. With this small but important summer/fall project we will have 11 classrooms on campus. At a self-imposed maximum of 20 students per classroom, this will reasonably accommodate 220 students. The new classroom and library are needed to advance our curriculum regardless of whether or not this amendment to increase our student limit is required. However, being that we are investing in beautifying our campus an improving our property, we would like to request the increase of the student limit at this time as well. It better prepares us for the growth we are experiencing. We ended the 2017-18 Academic Year with 113 students. We hope that if this amendment is granted, we will be able to surpass the 120 student mark in the 2018-19 Academic Year.



### Abstract:

As a result of this growth, additional classroom space is necessary in order to continue providing the generous teacher-students ratios for space that CKACS has built its reputation upon. Charlie Keyan seeks to add two (2) additional modular buildings on site in order to accommodate the anticipated student load for the 2018/2019 academic year.

Education is at the heart of all of our ambitions. Our vision is to make an impact on the future of our community by creating exemplary educational experiences for students. Charlie Keyan's level of quality education is an added asset to the area. Neighborhoods with stellar elementary schools that provide safe, clean and well maintained facilities are a big draw for families. Given the ability to increase to 220 students, we are able to positively impact additional families in our community.

Included here, we have provided the Operational Statement to accompany the entitlements.

### Nature of the operation:

Expand current educational facilities to accommodate the growth in student body for the 2018/2019 academic year.

Expand student body from 120 to 220.

Allow for two (2) new modular classrooms to be constructed on site. The new classrooms will be of the same size, type, and method of construction as existing classrooms. The new construction will not impede upon the Fire Lane established along the north property line. Accessible walkways, railing and clear paths of travel will be provided to the new classrooms as well at a connection between the new and existing adjacent classrooms.

The existing school on site is approximately 116,923f/ 2.68 acres, lot coverage is 30,584sf (30%). Type-II, fully sprinkled built in 2003. CKACS is located in a residential agriculture zoning district. Existing permanent structures on facility are approximately 3,029sf, existing temporary structures are 9,342sf. Existing utilities on site are Sewer, Water (domestic and fire suppression), and Natural Gas (Three Phase Electrical).

### **Operation times:**

Charlie Keyan Armenian Community School is a Community School that is in session from Monday-Friday.

School operates between the hours of 7:45am and 5:30pm.

Committed to excellence by integrating vigorous academic standards, 21st century learning and christian education in the classroom and in extra-curricular activities while creating a healthy, moral, safe and nurturing environment for our students to thrive!

Curtis Shamlin Principal

Board of Education

Shaunt Yemenjian, AIA *Chairman* Christina Zakarian, CPA *Vice Chairman* Maral Kismetian, MPA, CRA *Treasurer* Sareen Creede Secretary Rosie Bedrosian Marc Days Nyrie Karkazian Rev. Mike Mekredijian Christopher Shamlian, DDS

> 108 N. Villa Ave. Clovis, CA 93612

> > t. 559.323.1955

principal@ckacs.org

board@ckacs.org

www.ckacs.org

501(c)3 Nonprofit Organization

> Federal Tax ID: 94-2459753

Accredited by: Western Association of Schools and Colleges





# **Charlie Keyan Armenian Community School**

### Չարլի Քէյեան Համագաղութային Հայ Վարժարան

### Number of customers or visitors:

Average attendance between the hours of 7:34-3:15 is 120. Average attendance between the hours of 3:15-5:30 is 40. There are no activities/programs scheduled on weekends and holidays.

### Number of employees:

Charlie Keyan currently employs 16 full time and 3 part time employees.

### Service and delivery vehicles:

Trash pickup is the only service vehicle which is regularly on site. Goods or services are not sold on site and do not require service delivery.

### Access to site:

Access to the property is a paved public road. Villa Ave has entrance to the site. Fire Lane is established along the north property line and the new construction will not impede upon it. Accessible walkways, railing and clear paths of travel will be provided to the new classrooms as well at a connection between the new and existing adjacent classrooms.

A knox box located on our property gate along villa, access for all emergency vehicles is free and clear of any and all obstructions.

### Number of parking spaces:

26 total parking stalls Includes 2 accessible stalls Includes 16 employee stalls

### Equipment used on site:

Equipment stored on site includes lawn equipment, for landscaping purposes.

### What supplies and or materials are used and how are they stored:

General office supplies are kept on site in storage closets, cabinets and offices for Administration. Educational materials are kept on site in the classrooms and designated classroom storage areas.

### Does the use cause an unsightly appearance:

No



Committed to excellence by integrating vigorous academic standards, 21 st century learning and christian education in the classroom and in extra-curricular activities while creating a healthy, moral, safe and nurturing environment for our students to thrive!

Curtis Shamlin Principal

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### List any solids or liquid wastes to be produced:

Proposed use will not produce any solids or liquid wastes. No sanitary systems are a part of the project. No food preparation is a part of this project.

Existing waste is through connection to city's sanitary sewer system. One new restroom and three sinks will be added through the addition of these two new classroom buildings.

Describe any proposed advertising, including size appearance and placement:

No composting, no septic system, no industrial waste, no hazardous waste.

Curtis Shamlin Principal

Board of Education

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Will existing buildings be used or will new buildings be constructed: The existing site is approximately 116,923f/ 2.68 acres, Type-II, fully sprinkled built

### Existing buildings on site:

in 2003/04.

Admin/Reception Building- 1,194sf Assembly Hall Building – 1,611sf Preschool Building – 1,320sf Preschool Building – 1,320sf Kindergarten and 1st Building – 960sf 2nd & 3rd Grade Building – 960sf 4th, 5th, & 6th Grade Building – 960sf Armenian Wing – 1,320 sf Bathroom Building – 500sf

No proposed additional advertising signage.

### **New Buildings:**

Two (2) new modular classrooms will be constructed on site. The new classrooms will be of the same size, type and method of construction as the existing classrooms.

### Explain which buildings of which portion of buildings will be used in the operation:

The current modular classrooms, administration building, hall building, and bathroom building will continue to be used in the same manner as they are currently being used.

### Will any outdoor lighting or an outdoor sound amplification system be used:

Outdoor lighting for basic code compliant wayfinding and illuminated accessible paths are provided, no change.



### Landscaping or fencing proposed:

Existing turf/lawn is proposed to be altered to provide basketball court. Facility includes soccer field, two playgrounds, green play areas, volleyball, and sandbox. Two existing protected oaks trees will remain.

### Master Plan:

After numerous listening sessions with developers, real estate experts, finance professionals, and other members of the community involving feedback related to building plans, enrollment, and the current site, it became clear that due to site limitations, theoptimalwaytoproceedwith expansion is a newlocation, consisting of approximately five acres with a school and community center for the benefit of all. Our dream buildout is approximately 35,000 square feet and includes technology forward academic spaces, science and agricultural labs, a library, conference facilities open to community organizations, indoor and outdoor event spaces, a gym, a swimming pool, soccer and baseball fields, and an in spiring campus to support our community for the next 40 years and beyond. Such a new facility would be a focal point of the community, give the school the capacity to be self-sufficient through increased enrollment and revenue generated through the community center, and become the premier private school in the Fresno/Clovis area.

Attached is a copy of two conceptual plans of what our build-out on this campus might look like in terms of building scale, orientation, relationship to neighbors, preservation of oak trees and site access. We are about 20% through our capital campaign to begin moving this masterplan build-out forward. While we do not anticipate a build-out of this for the next two years, it is our hope that we fundraise for the next two years and work towards this masterplan in 2020.

We request that as part of the CUP amendment request, public comments and agency comments be provided so that we can begin to advance discussions with our neighbors and community and build support for this project early. We do not feel it will be necessary to exceed 35,000sf on this site. The site will not support any more than that in terms of parking, circulation and open space requirements. The 35,000sf limit can be imposed as a condition of approval if the Planning Director so chooses.

Curtis Shamlin Principal

Board of Education

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**Owners, Officers and/or Board Members:** 

### Officers

Curtis Shamlin – Principal Anahit Salmanyan – Vice Principal Sossy Wairdian – Admin Assistant

Curtis Shamlin Principal

Board of Education

Shaunt Yemenjian, AIA Chairman Christina Zakarian, CPA Vice Chairman Maral Kismetian, MPA, CRA Treasurer Sareen Creede Secretary Rosie Bedrosian

Marc Days Nyrie Karkazian Rev. Mike Mekredijian Christopher Shamlian, DDS

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Board of Trustees Shaunt Yemenjian Christina Zakarian Maral Kismetian Sareen Creede Rosie Bedrosian Marc Days Nyrie Karkazian Mike Mekredijian Christopher Shamlian



RENDERING OF COURTYARD, SCREEN WALL, NEW PRE-K CLASSROOM, UBRARY & OUTDOOR STAGE SCALE: not to scale

#### SCOPE OF WORK

ADITION OF TWO NEW 94/05 MODULAR CLASSROOM BILLINGS ON THE EXISTING CAMPUS OF A PREX "HROUGH 6'H GRADE LEAVENTARY SCHOOL. SCOPEI NCLUDES ITE IMPROVEMENTS, M NORINTEHORIMPROVEMENTS, M NOR UT ITY CONNECTONS, RELOCATION OF OUTDOORS SPORTS TIELDS AND RECOMI GURATION OF PAREING. STELMPROVEMENTS ARE UNDER THE JURISELCT ON OF:

Building Division 1033 Fifth Street, Clovis, CA 93612 Plimary Contact: Mr. Doug Stawarsi 559.324.2390

CLOWS PLANNING ENTITLEMENTS

DRA2007-12: APPROVE USE OF NURSERY THROUGH 8TH GRADE PRIVATE SCHOOL ON PROPERTY.

SPR2007-26A: APPROVE ADDITION OF IVE NEW MODULAR CLASSROOM BUILDINGS TO THE EXISTING SITE FOR USE AS CLASSROOMS.

DRA2010 DS: APPROVE ADDITION OF THREE NEW MODULAR CLASSROOM BUILDINGS TO THE EMSTING RIVE UNITS ON CAMPUS.

CONTACT: SHAUNT YEMEN_AN shount.yemen[an@ckacs.org 626.298.0195

CONTACT: Stan Harbour start eyéharbour engineering.com 559.325.7676

CONTACT: BOB PARIISH bobp@panish-hansen.com 559.323.1023

CLASSROOM BUILDINGS ARE UNDER THE JURISELCTION OF: CAUFORINA DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT Registration and Tling - Riveri de District Office 3737 Main Street, Sulle 400, Riveri de, CA 92501 Primary Contact: Ari, Sal Parlomani 951,782,4431

#### PROJECT TEAM OWNER

CHARLE KEYAN ARMENAN COMMUNITY SCHOOL CONTACT: PRINCIPAL CURES SHAMEN 108 N. YILLA AVE. principal teckocs.org CLOUS, C. AV Sala 2 557.289.4721

- ARCHITECT: SHAUNT YEMEN JAN, ALA, LEED AP 5280 N. IL CEWOOD AVE. FRESNO, CA 93711
- CIVIL ENGINEER: HARBOUR & ASSOCIATES 389CLONS AVE, SUITE 300 CLONS, CA 93612

STRUCTURAL:

PARESH HANSENI NCORPORATED 418 CLON'S AVE. CLON'S, CA 93612

GENERAL CONTRACTOR: HENRY CHAVEZ CONSTRUCTION 1076 M.U. STREET SELMA, CA 93662

CONTACT: HENRY CHAVEZ, GC hchovz66@gmat.com 559.908.0364

V-8 [NO CHANGE] 3,029st PERMANENT STRUCTURES + 9,321st MODULAR BULLINGS 12,350st

LEGAL DESCRIPTION PARIN \$1/2 OF NET/4 OF \$W1/4 OF NW1/4 \$C 5 10

#### PROJECT INFORMATION

SITE NFORMATION			
ASSESSOR'S PARCEL NUMBER:	491-06-120 AND 491-06-191 [SEE PARCEL MAP AT RIGHT] 2.68 ACRES or 116.923d		
LOT AREA:			
ZON NG:	R A RESIDENTIAL AGRICULTURE		
LOT COVERAGE:	30% ALLOWED	(E) PRON DED: 10.5% WITH	NEW CLASSROOMS 12.3
LOT DIMENSIONS:	EAST/WEST 620		
	NORTH/SOUTH = 168'		
SETBACKS:	REQURED FRONT \$35.0	PROVIDED FRONT # 256	
	REQUIRED THE TO O PROVIDED THE 43' & NORTH AND 11' 6 & SOUTH		
	REQUIRED REAR 2010	PROVIDED REAR # 340"	
VERY HIGH FIRE HAZARD ZONE:	NO	FLOOD ZONE:	NO
HIGH WIND VELOCITY AREAS:	NO	C L WELLS:	NO
LANDS DE:	NO	QUEFACTION:	NO
PARENG REQUIRED:	ONE STALL PER EMPLOYEE/FACULTY PER CLONIS ZONING ORDINANCE 9.32.040		
	23 STALLS REQUIRED	38 STALL PROVIDED	
		2 ACCESS BLE [E]	
		2 ACCESS RI E PROPOSED	

ELEMENTARY SCHOOL

ONE [NO CHANGE] 29-1

EXISTING BUILDING INFORMATION (E) USE: (E)TYPE OF CONSTRUCT ON: (E) BUILDING AREA (E) NUMBER OF STOR ES:

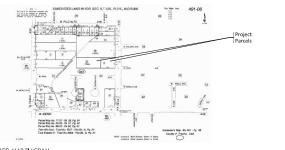
(E) BULLI NG HEIGHT: (E) PLUME NG ID/TURES: PROPOSED BUILDING INFORMATION

"E' EDUCATON V-8 [EXEMPT ROM TRE SPILINKERS PER CLOMS TRE < 2.0004] 960d EACH T1,920d ONE 12-4" PROPOSED USE: PROPOSED TYPE OF CONSTRUCTION: PROPOSED BULLING AREA: PROPOSED BULLING AREA: PROPOSED BULLING HIGHT: PROPOSED BULLING HIGHT:

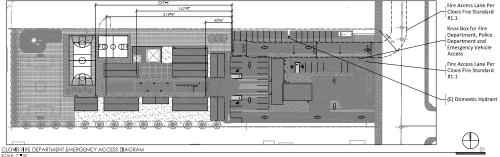
APPLICABLE CODES 2016 CALFORN A BILLING CODE (CBC) 2016 CALFORN A BECITICAL CODE (CBC) 2016 CALFORN A COSTBILL SIMOARDS BUILDING: STRUCTURAL: PLUMEING: MECHANCAL: ELECTRICAL: FIRE CODE: ENERGY: ACCESSIBILITY: UEAS:



AERIAL VICINITY DIAGRAM



### PARCEL MAP DIAGRAM



Project

Location

 $\oplus$ 

 $\oplus$ 



PROPOSED PROJECT FOR:

New Classroom, Library, and Courtyard Project

> ADDRESS: 108. N. Villa Ave.

Clovis, CA 93612 _

SUBMITTED TO: City of Clovis 1033 5th St Clovis, CA 93612



INTELLECTUAL PROPERTY:

DATE:

#### 07.30.2018 PREPARED FOR:

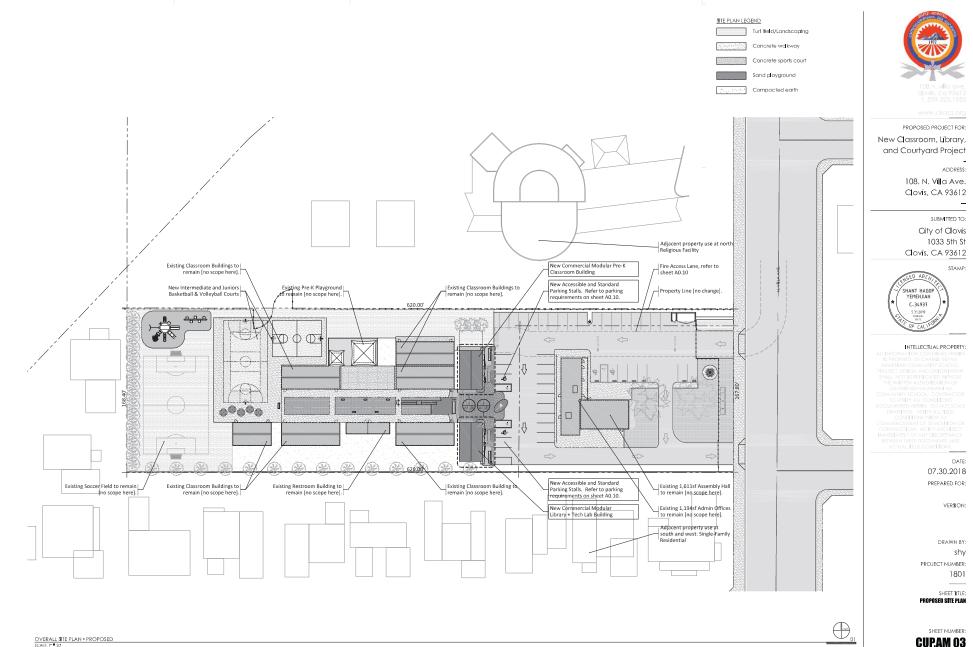
VERSION:

DRAWN BY: shy

PRO JECT NUMBER: 1801

SHEET TILE: CODE ANALYSIS AND RENDERING

SHEET NUMBER: CUP.AM 02



CUP.AM 03

AGENDA ITEM NO: 6



# CITY of CLOVIS

### REPORT TO THE PLANNING COMMISSION

- TO: Clovis Planning Commission
- FROM: Planning and Development Services
- DATE: September 27, 2018
- SUBJECT: Consider Approval, Res. 18-___, CUP2018-10, A request to approve a conditional use permit for a bar with ancillary micro brewing at 2700 Clovis Avenue, suites 103 and 104. Rodney and Dana Heinrich, owners; Ish Brewing Company, LLC., applicant.
- ATTACHMENTS: A. Figure 1:Location Map
  - B. Exhibit "A:" Conditions of Approval
  - C. Attachment 1: Draft Resolution
  - D. Attachment 2: Correspondence from Agencies
  - E. Attachment 3: Operational Statement
  - F. Exhibit "B:" Site Plan
  - G. Exhibit "C:" Floor Plan

### CONFLICT OF INTEREST

None

### RECOMMENDATION

Staff recommends that the Planning Commission approve conditional use permit CUP2018-10, subject to the conditions listed in Exhibit "A."

## **EXECUTIVE SUMMARY**

The applicant, Ish Brewing Company, LLC, is requesting to operate a bar/brewpub facility also known as a tap house at the property located at 2700 Clovis Avenue, within the commercial center located at the northwest corner of Pico and Clovis Avenues. Additionally, the applicant is requesting the ancillary operation of a microbrewery for the manufacturing of the product to be sold for consumption on site. Approval of this conditional use permit will allow the applicant to move forward with interior tenant improvements and an application for the required Alcohol and Beverage Control licensing.

## BACKGROUND

•	General Plan Designation:	Neighborhood Commercial

- Specific Plan Designation: None
- Existing Zoning: C-1 (Neighborhood Commercial)
- Lot Size: 2.3 acres
- Current Land Use: Neighborhood Commercial Center
- Adjacent Land Uses:

North: C-P (Professional Office) South: C-1 (Neighborhood Commercial) East: P-C-C (Planned Commercial Center) West: R-1 (Single-Family residential)

 Previous Entitlements:
 CUP90-02, PM99-06, V91-07, V90-01, SPR91-82A2

## PROPOSAL AND ANALYSIS

## Project Description and Operations

The applicant is requesting to operate a tap house with an ancillary microbrewery. The microbrewery will produce all of the craft beers to be sold for consumption on site. No outside alcoholic beverages will be sold on the premises. There will also be a limited amount of product to be manufactured and sold to local restaurants and bars. Minor marketing merchandise such as shirts, glasses, etc. will also be sold on site but would be considered ancillary to the use.

Within the facility, ambiance-type of music and entertainment will be provided in effort to create an atmosphere that is typical of the bar environment. Specific activities will include multiple televisions, recorded music and small games (non-arcade). As the business

grows, the applicant is anticipating partnering with local restaurants to provide food deliveries to the site for customers. Occasionally, there will be special events hosted to coincide with events such as the Clovis Rodeo, Big Hat Days, and other season events.

The applicant is proposing initial business days to the public from Thursday to Sunday. Hours of operation would be from 4pm to 10pm on Thursday and Friday and from 12pm to 10pm on Saturday and Sunday. Operational days and hours are intended to expand with the business's success. However, bars must adhere to state requirements in terms of operational hours, therefore staff is not restricting hours of operations for the use.

## Consistency with the General Plan and Zoning

The property has a General Plan designation of neighborhood commercial and is zoned C-1 (Neighborhood Commercial). The C-1 Zone District allow for bars and alcoholic drinking places subject to conditional use permit approval. Bars and alcoholic beverage drinking places is defined as, "A structure or tenant space within a structure where alcoholic beverage are sold for on-site consumption that are not part of a larger restaurant. Includes bars, pubs, taverns, similar establishments where any food service is subordinate to the sale of alcoholic beverages. May include entertainment (e.g., live music and/or dancing), and beer brewing as part of a "brewpub."" The proposed tap house and ancillary microbrewery is consistent with the respective General Plan and Zoning of the property.

## Consistency with Surrounding Area

The project is located within the existing commercial center located at the northwest corner of Pico and Clovis Avenues. Adjacent businesses within the center include: Valley Rod & Gun, Sherwin-Williams Paints, and Grill Masters. The center is surrounded by commercial type properties to the north, south and east. The property to the north of the shopping center is currently vacant and has a zoning designation of C-P (Professional office). South of the center is additional commercial property including Fresno Oxygen Welding and Supply. The Clovis Rail Trail and the Homewood Suites hotel is located across Clovis Avenue, east of the center. The Sierra Vista Mall is located less than a mile north of the center. Directly west of the center is the Rancho Estates single-family residential subdivision.

## Potential Noise

The operation has the potential to generate an elevated noise level typical of bar uses. However, the orientation of the building, interior layout, and existing block wall on the west side of the building will assist in mitigating potential noise levels. The building is oriented with the rear facing the residential properties and the front facing the parking lot and Clovis Avenue. The distance between the rear of the building and the block wall along the property line between the residential properties and the center is approximately 15 feet. The proposed interior layout designate general seating area at the front half of the space. The bar area is proposed at the center and the microbrewery and cold storage are located

Planning Commission Report CUP2018-10 September 27, 2018

at the rear of the interior. The applicant will not be utilizing the outdoor space at the rear of the building. With this, any potential noise from the operation that may travel to the neighborhood to the west will be minimal. Staff recommends that a condition is included that the back door to remain closed during business hours and there be work in the back after 9:00 p.m.

#### <u>Parking</u>

The commercial center has a minimum parking requirement of 127 parking stalls as required by the previously approved Site Plan Review SPR91-82. A variance to the parking requirement was approved by the Planning Commission on July 25, 1991. The variance allowed for a parking standard of 4.8 stalls per 1,000 square feet of gross floor area with the exception that the center prohibit the operation of following uses: drug stores, grocery stores, and medical and professional offices. The commercial center has a total of 122 existing parking stalls, meeting the approved standard.

Staff does not anticipate any parking issues for this use within the existing commercial center. Existing uses in the center do not typically draw an excessive amount of vehicles to the area on a regular basis. Correspondingly, the proposed days and hours of operation of the tap house are not considered typical peak times for the general existing uses.

#### Alcohol and Beverage Control

With the approval of this conditional use permit, the applicant will be seeking a type 32 brewery license with the Department of Alcohol and Beverage Control (ABC). A Class 32 license authorizes the sale of beer for consumption on the premises. ABC analyzes license requests by census tracts. In this case, the subject property is located within census tract 31.02 which is bounded by Winery Avenue to the west, Shaw Avenue to the north, Clovis Avenue to the east, and Gettysburg Avenue to the south. As of September 12, 2018, according to the department's map query system, the census tract currently houses 13 active on-sale retail licenses. According to correspondence with the Police Department, the census tract does not appear to be oversaturated.

#### Public Comments

A public notice was sent to area residents within 300 feet of the property boundaries. Staff has not received comments or concerns from the public upon finalization of this report.

#### <u>Review and Comments from Agencies</u>

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, State Department of Fish and Game, and the County of Fresno. 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

## California Environmental Quality Act (CEQA)

The Project is in substantial conformance with the environmental impact report performed for the 2014 General Plan. No major revisions will be required with the adopted Environmental Impact Report to accommodate the proposed project, therefore subject to CEQA sections 15162 and 15182, no further environmental review is required for this project.

The City published notice of this public hearing in *The Business Journal* on Wednesday, September 12, 2018

## FISCAL IMPACT

None.

## REASON FOR RECOMMENDATION

Findings for approval of a conditional use permit application are as follows:

- 1. That the site for the proposed use is adequate in size and shape to properly accommodate such use;
- 2. That the street plan in the neighborhood is adequate to handle the traffic generated by the proposed use;
- 3. That the proposed use will have no adverse effect on abutting properties and the permitted use thereon;
- 4. That the conditions of approval stated in the resolution are deemed necessary to protect the public health, safety, and general welfare; and
- 5. That, based upon the Initial Study and comments received, there is no substantial evidence that the project will have a significant effect on the environment.

The Project is consistent with the goals and policies of the General Plan and Zoning and provides a diversity of land use within a vacant commercial property; Therefore, staff recommends that the Planning Commission approve CUP2018-10, subject to the conditions of approval listed as Exhibit "A".

## ACTIONS FOLLOWING APPROVAL

None

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Planning Commission Report CUP2018-10 September 27, 2018

**NOTICE OF HEARING** 

Property owners within 300 feet notified: 45 Interested individuals notified: 11

Prepared by:

Lily Cha, Assistant Planner

Reviewed by:

Bryan Araki City Planner

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Planning Commission Report CUP2018-10 September 27, 2018



**FIGURE 1** 

9/20/2018 3:32:29 PM

## EXHIBIT "A" Conditions of Approval – CUP2018-10

## Planning Division Conditions

(Lily Cha, Division Representative – (559) 324-2335)

- 1. All conditions of this use permit shall be addressed prior to operation of the facility.
- Conditional Use Permit CUP2018-10 may be reviewed after one year of operation for compliance with the conditions of approval. Planning staff may conduct a review of the use and may present these findings to the Planning Commission. Should the use be found to be in non-compliance, the Commission may schedule the use permit for revocation.
- 3. This conditional use permit approves a bar with ancillary micro-brewery for property located at 2700 Clovis Avenue, Suites 103 & 104. Any changes in the use may require an amendment to the Conditional Use Permit.
- 4. The microbrewery portion of the operation shall remain an ancillary use to the bar use and at no point shall become the primary use of the operation.
- 5. There shall be no outdoor activity at the rear of the building other than typical loading and unloading of material.
- 6. All signs for this use shall comply with the Clovis Sign Ordinance and require separate sign permits. Temporary signs shall be per Code and the use of mascots and sign waivers shall be prohibited.
- 7. All employee parking shall occur on site.
- 8. Succession or abandonment of this use for a period of exceeding 90 days shall be cause for scheduling of a revocation hearing for this conditional use permit.
- 9. Operation of the site shall conform to the Clovis noise and vibration standards (CMC §9.22.080 and §9.22.100).
- 10.No outdoor display of merchandise is permitted unless approved through a separate Administrative Use Permit.
- 11. With exception to temporary placement of deliverables, the operator shall not store materials and supplies outside the building.
- 12. The back doors shall remain closed during business hours.

## **Fire Department Conditions**

(Gary Sawhill, Department Representative - 324-2224)

- 13. Any tenant improvements of a building involving changes to walls, ceilings, doors, storage heights electrical, plumbing shall require plans to be submitted to both the fire and building department for plan review and permit issuance.
- 14. Any tenant improvements of a building involving changes to walls, ceilings, storage heights shall not affect the operation and coverage of an existing fire suppression system(s). All additions or changes to any sprinkler system require Clovis Fire Department review and approval. Submit plans to and obtain permit from the Clovis Fire Prevention Bureau for the installation or modification of fire sprinkler system.
- 15. The applicant shall install approved fire extinguishers, 2A-10BC minimum rating, one (1) per each 3000 square feet (ordinary hazard), with a maximum travel of seventy-five feet (75') from any point in building. These should be located and approved by the Clovis Fire Department prior to building occupancy.
- 16. Suite numbers shall be installed at front and rear doors.
- 17. No locks are permitted to prevent the operation of doors except the main exterior door meeting the requirements of 1010.1.9.3 CBC. The unlatching of any door shall not require more than one operation.
- 18. Any room having an occupant load of 50 or more and which is used for assembly purposes shall have the capacity of the room posted in a conspicuous place on an approved sign near the main exit from the room.
- 19. Exit doors shall swing in the direction of egress travel and shall not be provided with a latch or a lock unless it is panic hardware with the exception of the main exit in compliance with section 1010.1.10 CFC.
- 20. The path of exit travel to and within exits in a building shall be identified by illuminated exit signs conforming to the requirements of the California Fire Code.
- 21. The applicant shall install emergency lighting with battery backup or an approved alternate in accordance with the California Fire Code.
- 22. The interior walls separating adjacent suites shall comply with table 508.4 of

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Planning Commission Report CUP2018-10 September 27, 2018

the 2016 CBC for required fire resistive rating based on fire separation distance. A minimum one hour wall is required when separating A occupancies from B, M occupancies.

## Fresno Metropolitan Flood Control District Conditions

(Michael Maxwell, FMFCD Representative – (559) 456-3292)

23. Applicant shall comply with the requirements of the FMFCD.

#### Fresno Irrigation Department Conditions

(Chris Lundeen, FID Representative - 233-7161 ext. 7410)

24. 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 Health Department Conditions

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

25. The Applicant shall refer to the attached Fresno County Health Department correspondence. If the list is not attached, please contact the District for the list of requirements.

#### Engineering Division Conditions

(Sean Smith, Division Representative – 324-2363)

- 26. The applicant shall provide a dedication for a 10' public utility easement along all frontages.
- 27. The applicant shall pay all applicable fees prior to the issuing of a building permit. A preliminary estimate for the required 10' public utility easement document review fee is \$115 per City Resolution 18-61.

## DRAFT RESOLUTION 18-____

## A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING A CONDITIONAL USE PERMIT FOR A BAR WITH ANCILLARY MICROBREWERY FOR PROPERTY LOCATED AT 2700 CLOVIS AVENUE SUITES 103 AND 104

WHEREAS, Ish Brewing Company, LLC., 6741 E. Princeton., Fresno, CA, 93727, has applied for a Conditional Use Permit CUP2018-10; and

WHEREAS, this is a request to approve a conditional use permit for a bar with ancillary microbrewery for property located at 2700 Clovis Avenue, Suites 103 and 104, in the City of Clovis, County of Fresno; and

WHEREAS, a public notice was sent out to area residents within 300 feet of said property boundaries ten days prior to said hearing; and

WHEREAS, a duly noticed hearing was held on September 27 2018; and

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 Exhibit "A" 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 project is in substantial conformance with the environmental analysis performed for the 2014 General Plan updated, 2014 Development Code updated.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Clovis Planning Commission does approve CUP2018-10, subject to the attached conditions labeled Exhibit "A"

* * * * *

The foregoing resolution was adopted by the Clovis Planning Commission at its regular meeting on September 27, 2018, upon a motion by Commissioner _____, seconded by Commissioner _____, and passed by the following vote, to wit:

## ATTACHMENT 1



PLANNING COMMISSION RESOLUTION NO. 18-____ DATED: September 27, 2018

Paul Hinkle, Chair

ATTEST:

Dwight Kroll, AICP, Secretary

## CORRESPONDENCE FROM AGENCIES

**ATTACHMENT 2** 



## **County of Fresno**

## **DEPARTMENT OF PUBLIC HEALTH**

David Pomaville, Director Dr. Sara Goldgraben, Health Officer

September 6, 2018

LU0019628 2604

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

Dear Ms. Cha:

PROJECT NUMBER: CUP2018-10

**CUP2018-10**, A conditional use permit request for a proposed taproom with ancillary brewing located at 2700 Clovis Avenue Suites 103 & 104.

## APN: 499-134-21

## ADDRESS: 2700 Clovis Avenue Suites 103 & 104

Recommended Conditions of Approval:

- Prior to issuance of building permits, the applicant will be required to submit complete food facility
  plans and specifications to the Fresno County Department of Public Health, Environmental Health
  Division, for review and approval. The applicant may also be required to apply for and obtain a
  permit to operate a food facility from the Fresno County Department of Public Health,
  Environmental Health Division. A permit, once issued, is nontransferable. Contact the Consumer
  Food Protection Program at (559) 600-3357 for more information.
- Prior to alcohol sales, the applicant shall first obtain their ABC license to sell alcoholic beverages. Contact the California Alcoholic Beverage Control Department at (559) 225-6334 for more information.
- The proposed use of amplified speakers for entertainment events, has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.

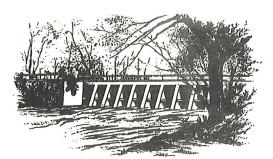
REVIEWED BY:

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

(559) 600-3271

cc: Rogers & Moreno-Environmental Health Division (CT. 31.02) Kevin Draughon- Applicant (<u>kevin@ishbrewing.com</u>)

> 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 The County of Fresno is an Equal Employment Opportunity Employer www.co.fresno.ca.us • www.fcdph.org





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

YOUR MOST VALUABLE RESOURCE - WATER

September 10, 2018

Ms. Lily Cha City of Clovis Planning and Development Services Department 1033 Fifth St. Clovis, CA 93612

RE: Conditional Use Permit No. 2018-10 N/W Gettysburg and Clovis avenues

Dear Ms. Cha:

The Fresno Irrigation District (FID) has reviewed the Conditional Use Permit No. 2018-10 for which the applicant proposes a microbrewery with on-site consumption, APN: 499-134-21. FID has the following comment:

- 1. FID does not operate or maintain any facility located on the subject property as shown on the attached FID exhibit map.
- 2. For informational purposes, FID's active Helm No. 101 runs northwesterly crossing Clovis Avenue approximately 540 feet south of the subject property and Santa Ana Avenue approximately 1,600 feet northwest of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Clovis Avenue, Santa Ana Avenue or in the vicinity of this facility, FID requires it review and approve all plans.

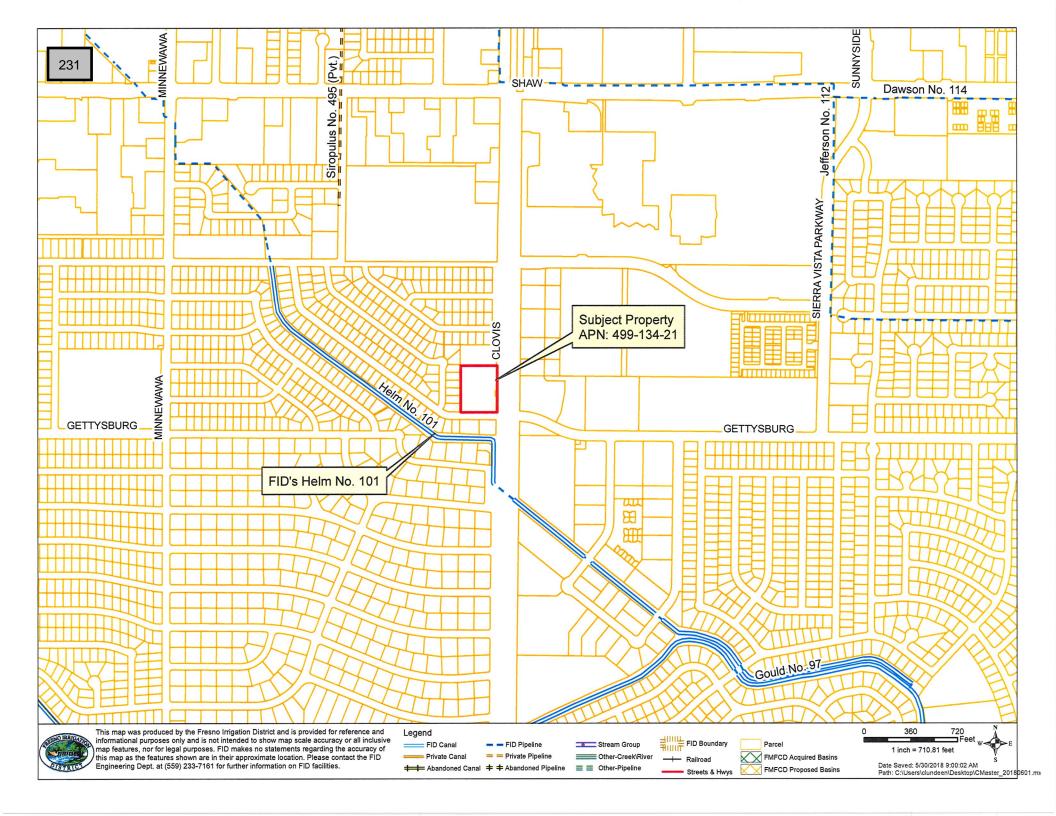
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or <u>clundeen@fresnoirrigation.com</u>.

Sincerely,

Laurence Kimura, P.E. Chief Engineer

Attachment

G:\Agencies\Clovis\Conditional Use Permit\CUP2018-10.doc



	NOTICE OF R	EQUIREMENTS	
232	Pag	e 1 of 4	
PUBLIC AGENCY		DEVELOPER	
LILY CHA DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES CITY OF CLOVIS 1033 FIFTH STREET CLOVIS, CA 93612		KEVIN DRAUGHON 6741 E. PRINCETON FRESNO, CA 93727	
PROJECT NO: 2018-010		$\mathcal{A}$	
ADDRESS: 2700 CLOVIS AVE.			
APN: <b>499-134-21</b>		SENT:	
Drainage Area(s) Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
	5.00 NOR Review	\$50.00 To be paid prior to release of District comments to Public	
S \$28,72	3.00 11010 11010	Agency and Developer.	

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

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 8/29/18 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.

Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district underb.) 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.
- Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the f.) 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.

File No. 210.433

CUP No. 2018-010

1.

#### 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.

- <u>X</u> a. Drainage from the site shall REMAIN AS EXISTING.
  - **b.** Grading and drainage patterns shall be as identified on Exhibit No.
  - 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
  - <u>X</u> 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
  - X None Required
- 4. Availability of drainage facilities:
  - X 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.)
  - X Does not appear to be located within a flood prone area.
- **6.** _____ The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or pipeline.

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

Page 3 of 4

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.
- 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.

8.

See Exhibit No. 2 for additional comments, recommendations and requirements.

Campbell

Debbie Campbell Design Engineer

X

Michael Maxwell Project Engineer

7.

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

Page 4 of 4

CC:

STYLE-LINE CONSTRUCTION, INC.

1817 N. HELM AVE.

FRESNO, CA 93727

## OTHER REQUIREMENTS EXHIBIT NO. 2

The drainage fee identified on the cover sheet of this notice is for the non-payment of existing development within APN 499-134-21. The existing development was improved without payment of local drainage fees, which is in violation of the City of Clovis Municipal Code and District Drainage Fee Ordinance. In accordance with the Late Payment of Drainage Fees policy attached, the owner/developer is allowed a payment period of six months from this notification without being subject to the current higher rate accessed on the property.

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

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

Development No. Clovis CUP 2018-010

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237	LICY MANUAL	Date Adopted: May 9, 2012
Classification:	FEES	Date Last Amended:
Subject:	Late Payment of Drainage Fees	Approved By: Boo Jan Wyk

## Policy

It is the Policy of the District to pursue collection of the late payment of Drainage Fees that were not collected at the time of development or subdivision of the affected property:

If a Drainage Fee is not paid at the time of development or subdivision and the developer and/or property owner has not entered into a Development Agreement that provides for the deferment of the payment of the Drainage Fee, and a permit was issued, the developer and/or property owner of said property shall be allowed to pay the Drainage Fee in effect at the time of subdivision or development within six (6) months from notice from the District to the developer and/or property owner of non-payment and a demand for present payment. Developer and/or property owner of non-payment and a demand for present payment. Developer and/or property owner shall: (i) pay the Drainage Fee; or (ii) enter into a time payment agreement to pay twenty percent (20%) of the fee immediately, and the remainder in four equal annual payments thereafter and without interest. To qualify for the time payment, a developer and/or property owner must consent to placing a lien on the property and have it secured by a Deed of Trust or other security satisfactory to both the General Manager/Secretary and Legal Counsel. Unless the developer and/or property owner that the provisions of this Policy, including no late payment or

default on payments, the developer and/or property owner shall forfeit all entitlement board/policies/perm/late payment of drainage fees 2

238 POLICY MANUAL		Date Adopted: May 9, 2012
Classification:	FEES	Date Last Amended:
Subject:	Late Payment of Drainage Fees	Approved By: Boscham Colyk

to Drainage Fee paid or credited in excess of the Drainage Fee calculated at the rate in effect at the time of the notice from the District of non-payment and interest shall immediately accrue on the unpaid balance in accordance with the District Drainage Fee Ordinance.

Any developer and/or property owner that has developed or improved land in violation of the Drainage Fee Ordinance of the District, or the jurisdictional agency having responsibility to approve land development entitlements without having obtained the proper permit(s) shall pay the Drainage Fee and such fee shall be calculated at the rate in effect at the time of the District's demand if paid within 90 days of that demand, otherwise the fee will be calculated at the rate in effect at the time of payment.

Any subdivision or development that occurred prior to 1999, and the developer and/or property owner did not pay a Drainage Fee, will be evaluated on a case-bycase basis to determine if the Drainage Fee is to be calculated at the rate in effect at the time of subdivision or development or at the current rate.

239 POLICY MANUAL		Date Adopted: May 9, 2012
Classification:	FEES	Date Last Amended:
Subject:	Late Payment of Drainage Fees	Approved By: Boolan Wyk

#### Background

It is the Policy of the District to secure, through cooperative association with the Cities of Fresno and Clovis, and the County of Fresno, the payment and collection of Drainage Fees concurrent with the development or subdivision of property located within planned local drainage areas. Drainage Fees are predicated on the cost of, and used solely to fund the construction of, stormwater facilities to serve the lands for and from which the Drainage Fee was collected. Drainage Fees are then expended in a manner which produces the earliest feasible availability of drainage service.

The District shall not circumvent the provision of the Drainage Fee Ordinance or adopt rate schedules absent unique qualifying considerations of equity. When a Drainage Fee is not paid at the time of development or subdivision, it is necessary to collect such Drainage Fee at the earliest possible date and in the amount that is fair and appropriate to the developer and/or property owner and the public.

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POLICY MANUAL		Date Adopted: May 9, 2012
Classification:	FEES	Date Last Amended:
Subject:	Late Payment of Drainage Fees	Approved By: Boodan Wyk

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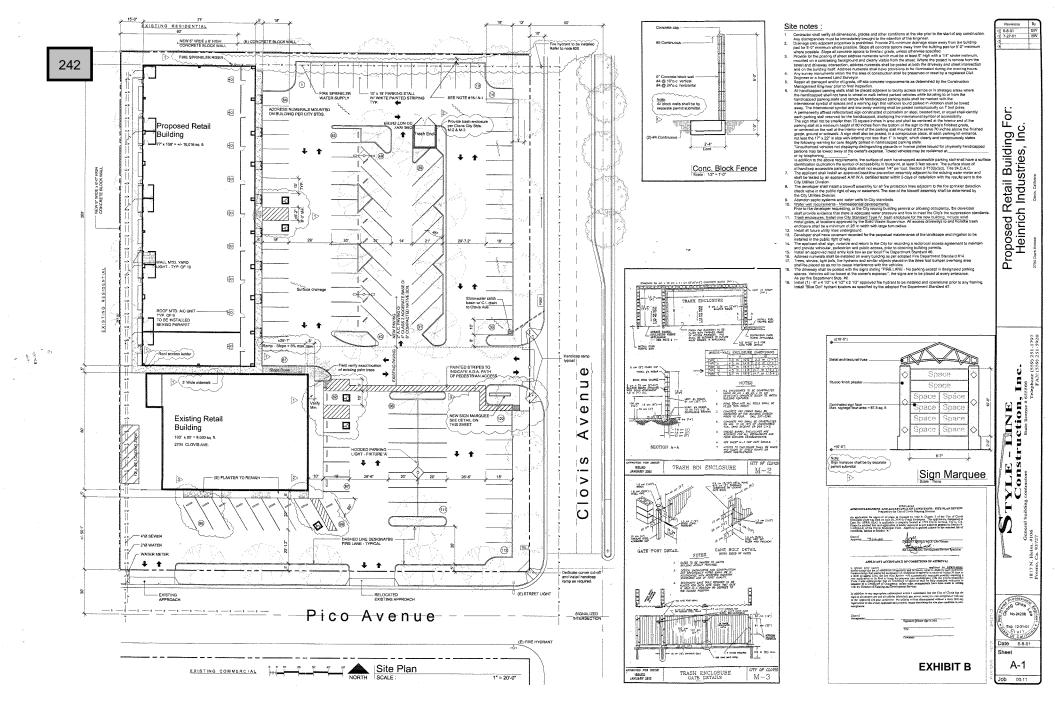
default on payments, the developer and/or property owner shall forfeit all entitlement board\policies\perm\late payment of drainage fees 2

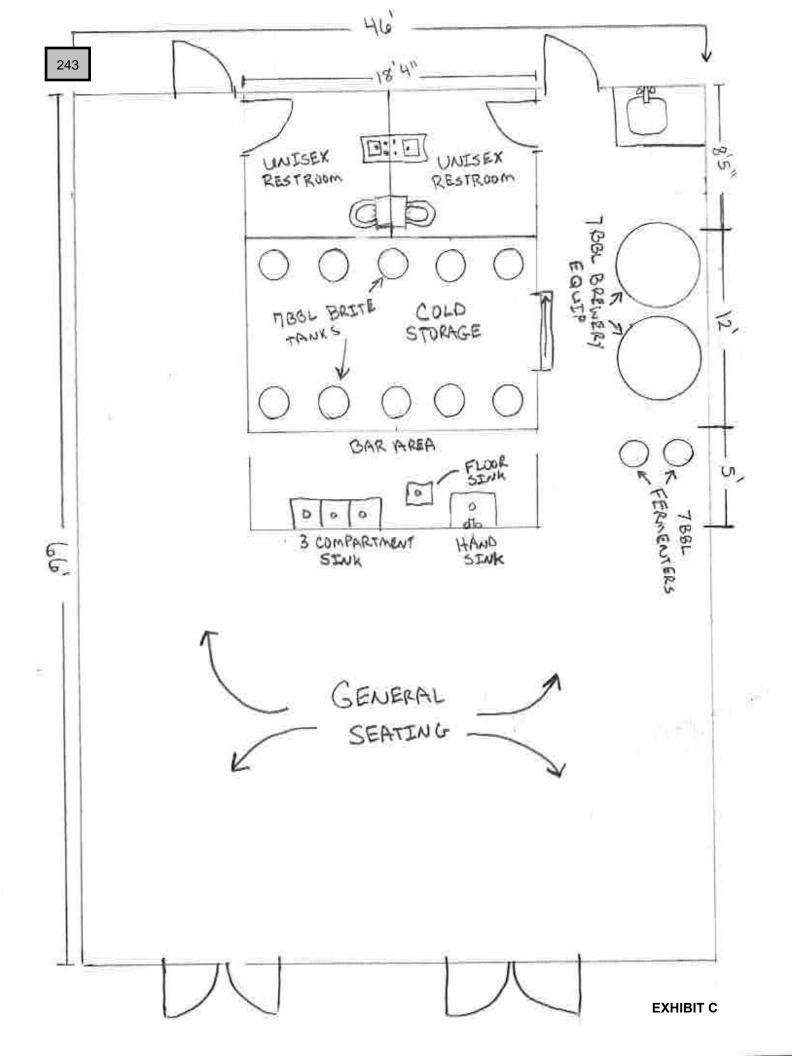
POLICY MANUAL		Date Adopted: May 9, 2012
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Subject:	Late Payment of Drainage Fees	Approved By: Bostan Wyk

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AGENDA ITEM NO: 7



# CITY of CLOVIS

## REPORT TO THE PLANNING COMMISSION

- TO: Clovis Planning Commission
- FROM: Planning and Development Services
- DATE: September 27, 2018
- SUBJECT: Consider Approval, Res. 18-___, CUP2018-11, A request to approve a conditional use permit to allow for seasonal outdoor recreation and entertainment events for the property located at 841 Clovis Avenue. Hodges Investment Group, LLC, owner; Shanna Collotzi and Jeff Spraetz, applicants.
- ATTACHMENTS:Figure 1:<br/>Exhibit "A:"Location Map<br/>Conditions of Approval<br/>Site Plan<br/>Draft Resolution<br/>Attachment 2:Attachment 1:<br/>Attachment 2:Draft Resolution<br/>Correspondence from Agencies

## CONFLICT OF INTEREST

None

## RECOMMENDATION

Staff recommends that the Planning Commission approve Conditional Use Permit CUP2018-11, subject to the conditions listed in Exhibit "A."

## EXECUTIVE SUMMARY

The applicant is requesting approval of a conditional use permit to allow for seasonal outdoor recreation and entertainment events for the property located at 841 Clovis Avenue. The proposed project is located within Planning Area 6 of the Central Clovis Specific Plan. Approval of this conditional use permit would allow the applicant to proceed with the operation of their seasonal events.

Planning Commission Report CUP2018-11 September 27, 2018

## BACKGROUND

- General Plan Designation: Mixed Use Village Specific Plan Designation: **Central Clovis Specific Plan** C-2 (Community Commercial) Existing Zoning: Lot Size: 0.46 acres Current Land Use: Commercial Adjacent Land Uses: North: C-2 (Community Commercial) South: C-2 (Community Commercial) East: **Open Space** C-2 (Community Commercial) West:
- Previous Entitlements: GPA96-08 and SPR97-14

## **PROPOSAL AND ANALYSIS**

## Proposed Events

The applicant is requesting a multi-use permit to allow for the operation of several seasonal outdoor events at the proposed location. These events are comprised of a pumpkin patch, Christmas tree lot, Valentine's Day flower sales, and a Rodeo Week special event, with varying hours, products, and several seasonal employees. The proposed events will take place in the parking lot of the existing business housed at 841 Clovis Avenue. The existing building will not be used for any of the proposed seasonal events. Instead, temporary tents or canopies will be utilized. The applicant intends to use no more than three service vehicles in the course of each event operation: twenty-four foot weekly delivery trucks, and a fifty-three foot delivery truck for the Christmas trees.

The proposed pumpkin patch will sell pumpkins as well as food and drinks, and includes both rides and recorded/live music entertainment. This seasonal event is proposed to operate daily from October 1st through October 31st, from 8:00 am to 10:00 pm. A temporary staff of up to thirty-five seasonal employees is expected for this event. The proposed Christmas tree lot will operate similarly to the pumpkin patch, with the main product being Christmas trees. This event is proposed to operate from the day after Thanksgiving through December 26th. The proposed Rodeo Week event will provide food and drink vendors as well as live entertainment between the hours of 8:00 am and 10:00 pm, from Monday through Sunday of Rodeo Week, with a temporary staff of up to fifteen seasonal employees.

The proposed Valentine's Day flower sales business will include the sale of flowers, balloons, and other related items. This business is proposed to operate from February 7th through the 14th, from 8:00 am to 7:00 pm. No rides, food or drink sales, or entertainment are proposed for the duration of this event. A temporary staff of up to fifteen seasonal employees is expected for this event.

Thirty days prior to each event, the applicant shall submit an operational statement and detailed site plan for each proposed event to Planning and Development Services. Staff provided a condition of approval memorializing the proposed uses.

## Central Clovis Specific Plan

The proposed project site is located within Planning Area 6 of the Central Clovis Specific Plan. The purpose of this district is to provide an area where automobile service and community level commercial uses may be located. The intent is to provide for uses that require customers to stay for a moderate period of time and allow them an opportunity to take advantage of the amenities of the pedestrian oriented Old Town area. All uses allowed in the C-2 Community Commercial Zone District are permitted in this district.

Though outdoor activities and permanent outdoor retails sales are permitted with an administrative use permit in this district, commercial outdoor recreation uses require a conditional use permit. Outdoor retail sales and activities are defined as "permanent outdoor sales...where the business is not conducted entirely within an enclosed structure." Commercial outdoor recreation is defined as "facilities for various...types of recreation where a fee is charged for use, including: amusement and theme parks..." This project is considered a 'temporary outdoor retail sales' use, which is defined as temporary outdoor retail operations "including:...seasonal sales of Christmas trees, pumpkins or other seasonal items; semi-annual sales of art or handcrafted items in conjunction with community festivals or art shows; sidewalk or parking lot sales."

## <u>Setbacks</u>

The project will be subject to the development standards of Planning Area 6 of the Central Clovis Specific Plan. The front setback shall be ten feet from the property line. Side setbacks shall be five feet, and there is no minimum rear setback. All temporary structures and rides shall not encroach into these setback areas.

## <u>Parking</u>

Parking for outdoor commercial recreational uses are to be determined by conditional use permit. The proposed types of events tend to draw a lot of public traffic, and therefore parking may be a potential concern. The subject property is not located within the Parking and Business Improvement Area (PBIA). The PBIA is a program that was

Planning Commission Report CUP2018-11 September 27, 2018

established to assist with automobile parking needs within its boundaries. Properties within the PBIA are not required to provide on-site parking. Due to the subject property's location, the applicant is therefore required to provide parking on site. This parking will be shown and reviewed on the detailed site plans submitted thirty days prior to each proposed event. The applicant may choose to attempt to enter agreements with adjacent property owners to utilize their parking areas for these events. Any such agreements would need to be submitted with the site plans for review prior to operation.

## **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, the County of Fresno Department of Public Health, AT&T, PG&E, San Joaquin Valley Air Pollution Control District, State Department of Fish and Wildlife, and the County of Fresno.

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.

## Fire Department Requirements

The Fire Department has provided a number of conditions pertaining to outdoor special events and tents/canopies. An outdoor special event will require an operational permit from the Fire Department, which will include in its requirements a site plan for plan review and inspection to be completed prior to the event. A permit for a tent or canopy will also be required at least three weeks prior to the event. The application for this permit will also require an inspection which must be passed prior to the event. The application and code requirements for this permit are listed in the conditions of approval. These processes are to be repeated for each separate event. The full list of requirements is included in Exhibit "A" Conditions of Approval.

## California Environmental Quality Act (CEQA)

The Project is in substantial conformance with the environmental impact report performed for the 2014 General Plan. No major revisions will be required with the adopted Environmental Impact Report to accommodate the proposed project, therefore subject to CEQA sections 15162 and 15182, no further environmental review is required for this project.

The City published notice of this public hearing in *The Business Journal* on Wednesday, September 12, 2018.

## FISCAL IMPACT

None.

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## **REASON FOR RECOMMENDATION**

The proposed conditional use permit is consistent with the goals and policies of the General Plan, Central Clovis Specific Plan, and Development Code. Staff therefore recommends that the Planning Commission approve CUP2018-11, subject to the conditions of approval attached as Exhibit "A."

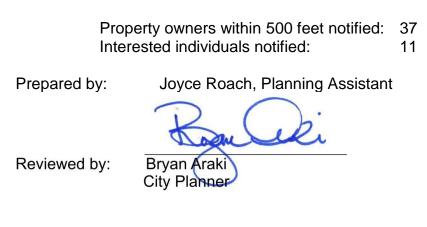
The findings to consider when making a decision on a conditional use permit application include:

- 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)

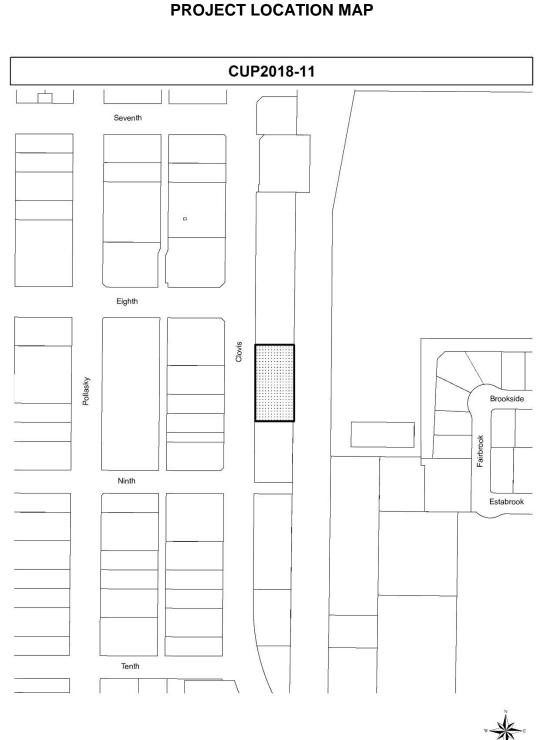
## **ACTIONS FOLLOWING APPROVAL**

## None

## **NOTICE OF HEARING**



Planning Commission Report CUP2018-11 September 27, 2018



**FIGURE 1 PROJECT LOCATION MAP** 

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## EXHIBIT "A" Conditions of Approval – CUP2018-11

## PLANNING DIVISION CONDITIONS (Joyce Roach, Division Representative – (559) 324-2341)

- 1. This Project is subject to the development standards of the Central Clovis Specific Plan.
- 2. This use permit is granted to allow for seasonal outdoor recreation and entertainment events for the property located 841 Clovis Avenue, annually.
- 3. All conditions of this use permit shall be addressed prior to operation of the events.
- 4. This conditional use permit shall be reviewed after a period of one year. Clovis Planning staff may conduct a review of this use in regards to the conditions of approval and may present findings of review to the Planning Commission.
- 5. There shall be no placement of merchandise outside of the approved display areas as presented in the submittal.
- 6. There shall be no use of balloons or other wind-aided devices designed to attract attention to the site.
- 7. The applicant shall keep access between the subject site and any adjacent businesses free and clear of obstructions. Any delivery vehicles shall not stop, park, load, or unload merchandise in a manner that could obstruct ingress and egress to adjacent businesses.
- 8. Display areas shall not encroach onto required ADA parking stalls or paths of travel on the site.
- 9. At no time shall any outdoor display of merchandise be placed in such a way as to provide less than a four (4) foot path of travel in the immediate vicinity of the outdoor display area.
- 10. Applicant must have on file a current City of Clovis Business License prior to conducting sales. All vendors related to special events shall have a Clovis Business License on file.
- 11. An operational statement and detailed site plan shall be submitted to the Planning and Development Services Department no less than thirty days prior to each event.

- 12. All signs for this use shall comply with the Clovis Sign Ordinance and require separate sign permits. Temporary signs shall be per Code and the use of mascots and sign waivers shall be prohibited.
- 13. All employee parking shall occur on site.
- 14. Prior to each special event, the applicant shall provide with their site plan, a parking plan that demonstrates adequate parking.
- 15. Event operational hours shall be from 8:00 am to 10:00 pm.
- 16. All music and lighting on the site shall be turned off by 10:00 pm (excepting grounds lighting used to facilitate clean-up of the site).
- 17. All games, rides, vendors, and booths shall cease operation and be completely shut down by 10:00 pm each night.
- 18. The applicant shall provide adequate restroom facilities to accommodate the use.
- 19. The subject property shall be kept free of litter and debris through routine maintenance.
- 20. The applicant shall make provisions for refuse service in an approved refuse container(s) on the subject property.
- 21. Alcohol sales and consumption shall not be permitted at these events.
- 22. All exterior lighting shall not interfere with the driving safety of vehicular traffic per Planning Division Standards.
- 23. Operation of this site shall conform to the Clovis noise and vibration standards (CMC §9.22.080 and §9.22.100).
- 24. All conditions of GPA96-08 and SPR97-14, and any other applicable conditions are hereby referred to and made a part of this conditional use permit.
- 25. Any expansion of the approved use shall require an amendment to this conditional use permit.
- 26. There shall be no overnight camping on this site. A designated overnight security guard may occupy the site during special events.

27. Loading and unloading of vehicles shall not occur in the public right of way and/or the Old Town Trail.

## **FIRE DEPARTMENT CONDITIONS** (Gary Sawhill, Department Representative – (559) 324-2224)

## **EVENTS:**

28. Each and every event shall have site plans submitted to Fire Department for approval and permitting per Clovis Fire Standard #4.2 and #4.1.

## Emergency Access

- 29. Maintain a minimum 20 foot drive width by 13' 6" height for emergency access.
- 30. City alleys shall not be blocked.
- 31. Fire hydrants shall have a three foot (3') clearance around all sides with the side(s) facing the street totally unobstructed.

## <u>Cooking</u>

- 32. All tents and canopies shall be fire treated, meeting California State Fire Marshal standards.
- 33. A fire extinguisher (2A-10BC minimum) shall be placed in the booth or area being used. All extinguishers must have a State Fire Marshal tag dated within the last 12 months.
- 34. A class "K" fire extinguisher is required when cooking with oils greater than 1" in depth. This is in addition to the extinguisher listed in #2. All extinguishers must have a State Fire Marshal tag dated within the last 12 months.
- 35. Cooking appliances shall not be accessible to the general public. The area shall be roped off, or the cooking appliances placed behind tables or in booths.
- 36.No cooking or open-flame allowed within ten feet (10') to any building or structure.
- 37.All propane tanks shall be secured and all hoses supplying the cooking equipment shall be checked for leaks prior to any cooking taking place. Any leaks found in hoses by the Fire Department will result in the immediate closure of the cooking area.

38. All fuels used for generators and cooking appliance shall be stored in the original containers or approved safety containers. All fuels shall be stored away from heat sources.

#### **Outdoor Beer Gardens**

- 39. A site plan for the beer garden shall be included with the event site plan and also include the following: exits, stages, tables, chairs, and the fence line.
- 40. The Clovis Fire Department will calculate the maximum occupant load. A maximum occupancy sign shall be posted at the entrance.
- 41. If a generator is present, a 2A10BC fire extinguisher shall be located in the vicinity.

#### Miscellaneous Safety Requirements

- 42. Fireworks of any kind are not allowed to be used, stored, handled, or sold at any parade/street fair event. This includes all brands of snap caps, safe and sane fireworks.
- 43. All compressed gas cylinders shall be secured against being knocked over in the upright position.
- 44. Maintain all combustibles such as paper, cloth, or wood, away from openflame devices.
- 45. Approved electrical cords shall be utilized. The electrical cord rating shall meet or exceed the amp or wattage current of the appliance being served. Electrical cords shall not be placed in areas where damage can occur, or where they become a tripping hazard.
- 46. For tents having a floor area greater than 400 square feet or canopies in excess of 700 square feet, Clovis Fire Department Standard # 4.1 shall be followed.

## **TENTS AND CANOPIES:**

- 47. <u>At least three weeks prior to the event, the following original documents (no faxes) are required to obtain a permit for a tent or canopy:</u>
  - Submit a completed application form.

- Submit a site plan that accurately indicates the distances from the tent or canopy to buildings, access drives, other tents or canopies, cooking and heating appliances, property lines and roadways.
- Submit a copy of the flame retardant certificate(s) for the tent / canopy material.
- Submit manufactures specifications for anchoring or provide calculations and details per The Industrial Fabrics Association International Procedural Handbook.
- Submit a floor plan showing the locations of all tables, chairs, interior obstacles, exits and their dimensions, exit pathways, no smoking signs, fire extinguishers, exit signs and their type, generators, and the type of floor surface.

#### **Code Requirements**

#### <u>Exits</u>

- 48. Exits shall be placed at approximately equal intervals around the perimeter of the tent or canopy and shall be located such that all points are one hundred feet (100') or less from an exit. (2016 CFC, Section 3103.12.1)
- 49. Exits shall be provided in accordance with Table (2016 CFC, Section 3103.12.2)
- 50. Tents or canopies that are closer than ten feet (12') to each other shall be considered as one structure. (2016 CFC, Section 3103.2)
- 51. Exit openings from tents shall remain open unless covered by a flame retardant curtain, provided that: curtains shall contrast with tent in color. Curtains shall be free sliding on a metal support. The support shall be a minimum of eight feet above the floor level at the exit. (2016 CFC, Section 3103.12.3)
- 52. Aisles having a minimum width of not less than forty-four inches shall be provided from all seating areas. (2016 CFC, Section 3103.12.5)
- 53. Exits shall be maintained with a clear width. Guy wires, ropes, fences, and other support members shall not cross a means of egress at a height of less than eight feet (8'). (2016 CFC, Section 3103.12.8)
- 54. Exits shall be illuminated at all times with light having an intensity of not less than one foot candle at floor level. (2016 CFC, Section 3103.12.7)

#### Exit Signs

55. At every exit, an exit sign with letters at least six inches (6") in height shall be provided. (2016 CFC, Section 3103.12.6)

## **Bonding of Chairs**

56. Loose seats or chairs that are not fixed to the floor shall be bonded together in groups of three or more, when the total number of chairs is over 300. (CCR, Title 19 Section 306(a))

## Fire Extinguishers

57. Provide one 2A:10BC portable fire extinguisher for every tent having a floor area between 500 square feet and 1,000 square feet. One additional fire extinguisher shall be provided for each additional 2,000 square feet. Maximum travel distance to a portable fire extinguisher shall not exceed 75' feet. Exits are the preferred locations. The top portion of portable fire extinguishers shall be mounted between three and five feet (3'-5') above floor. (2016 CFC, Section 3104.12)

#### **Heating and Cooking Equipment**

- 58.Gas, solid, and liquid fuel burning cooking equipment shall not be located within twenty feet (20') from a tent or canopy. (2016 CFC, Section 3104.7)
- 59. Heaters shall not be permitted to be present under a tent or canopy unless approved by the Clovis Fire Department. (2016 CFC, Section 3104.7)
- 60. Cooking and heating equipment shall be kept ten feet (10') from any exit. (2016 CFC, Section 3104.15.3)
- 61. Operations such as warming foods with solid fuels (Sterno) that do not pose an ignition hazard shall be approved. (2016 CFC, Section 3104.15.4)

## Flammable and Combustible Liquids / Gases

- 62. Flammable liquid-fueled equipment shall not be used in tents or canopies. (2016 CFC, Section 3104.17.1)
- 63. Flammable or combustible liquids and LP-gas shall not be stored in a tent or canopy, or less than fifty feet (50') from such structures. (2016 CFC, Section 3104.17.2)

#### Housekeeping

64. Weeds, flammable vegetation, hay, trash and other flammable materials shall be removed from the interior floor and surrounding area occupied by a tent for a minimum of not less than fifty feet. (CCR, Title 19 Section 326(b))

#### Stand-By Personnel

- 65. When, in the opinion of the Chief, it is essential for public safety in tents and canopies, standby personnel shall be required in accordance with (2016 CFC, Section 3104.20)
- 66. The regulations of the State Fire Marshal for standby personnel in tents with an occupant load of 500 or more also apply. (CCR T-19, Chapter 2, Article 320)

#### <u>Clearances</u>

- 67. Separation between tents relative to the property line or buildings: (2016 CFC, Section 3103.8.2 and 3103.8.3)
  - 20-foot clearance for up to 15,000 square feet of floor area
  - 50-foot clearance for over 15,000 square feet of floor area
- 68. Automobiles shall not be parked within 20 feet of the tent. Exception - Display of Motor Vehicles is allowed provided that the batteries are disconnected and no more than five (5) gallons of fuel remain in the tank.
- 69. Generators shall be maintained at least twenty feet (20') away and be isolated from the public by fencing, or other approved means.

#### **Miscellaneous**

- 70. Smoking shall NOT be permitted in any tent. "NO SMOKING" signs shall be conspicuously posted. (2016 CFC, Section 3104.6)
- 71.No fireworks, open flame or other device emitting flame or fire shall be used within 100 feet to any tent. (2016 CFC, Section 3104.8)
- 72. An unobstructed passageway or fire lane not less than twelve feet (12') in width shall be maintained on all sides of the tents. (2016 CFC, Section 3103.8.6)
- 73. Fire lanes and fire hydrants shall remain unobstructed at all times.

Planning Commission Report CUP2018-11 September 27, 2018

#### FRESNO COUNTY HEALTH

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

74. The applicant shall refer to the attached Health Department requirements. If the list is not attached, please contact the Department for the list of requirements.

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

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

#### HOUSING AND ECONOMIC DEVELOPMENT DEPARTMENT CONDITIONS (Shawn Miller, Department Representative – (559) 324-2083)

- 76. The subject property is not located within the Parking and Business Improvement Area (PBIA), therefore, applicant must provide parking on site.
- 77. Limit on number of days any and all displays, attractions, goods, products, structures including, but not limited to temporary booths, tents, awnings, and shelters may be visible from adjacent sidewalk, trail, and neighboring properties.
- 78. No trailers, campers, recreational vehicles, motorhomes, or boats of any kind should be visible from adjacent sidewalk, trail, and neighboring properties at any time.
- 79. During events, applicant must provide security to assure customers do not park in neighboring properties' private parking areas. Failure to do so should result in fines equal to or greater than damages.
- 80. With the exception of pumpkins, no produce should be displayed or sold at any time.
- 81. No swap meets, flea markets, second-hand sales, or similar events should take place at any time.
- 82. Following any event or attraction, property should cleared and cleaned within 72 hours.
- 83. Live entertainment should only be ancillary to another event; no stand-alone concerts.

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- 84.No dances.
- 85. No alcohol sales at any time.
- 86. All food-related events should be subject to inspection by Fresno County Department of Environmental Health.

#### ENGINEERING / UTILITIES / SOLID WASTE DIVISION CONDITIONS (Sean Smith, Engineering Representative - 324-2363) (Paul Armendariz, Public Utilities Representative – 324-2394)

- 87. Clovis Avenue improve with drive approaches to provide an ADA path of travel behind both of the approaches per city standard.
- 88. For new onsite ADA paths of travel that connect to the City sidewalk, the Applicant shall replace enough sidewalk to provide a compliant landing with appropriate transitions to existing sidewalk grades.
- 89. Dedicate 10' PUE along all frontages.
- 90. The applicant shall provide a request by the property owner for annexation to and a covenant for the Landscape Maintenance District. The property owner acknowledges and agrees that such request serves as a petition pursuant to California State Proposition 218 and no further election will be required for the establishment of the initial assessment. The assessment for each lot must be obtained from the City. The current estimated annual assessment is \$44.88 and is subject to an annual change in the range of the assessment in the amount of the Consumer Price Index, U.S. City Average, All Urban Consumers (CPI Index), plus two percent (2%). The owner/applicant shall notify all potential buyers before they actually purchase this property that this property is a part of a Landscape Maintenance District and shall inform potential buyers of the assessment amount. Said notification shall be in a manner approved by the City.
- 91. The applicant shall construct one (1) City of Clovis standard Type III trash enclosure (M-2 and M-3) including solid metal gates at the location approved by the City of Clovis Solid Waste Supervisor. Grease barrel enclosures shall be required for all grease producing businesses. The applicant shall provide paved access to and from the trash enclosure that must be accessible between 6 a.m. to 2:30 p.m. on the day(s) of service. The solid waste collection vehicles shall not be required to backup to service the trash enclosure. The trash enclosure shall be positioned to have front loading solid waste vehicle access. The concrete pad shall be inspected by the City prior to pouring of concrete. All access driveways to and from the trash enclosure shall

be a minimum of 26' in width with large turn radius. Trash enclosures shall be setback a minimum of 5' from all driveways to minimize impact of gates left open and mitigate any visibility issues.

#### DRAFT RESOLUTION 18-____

#### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR SEASONAL OUTDOOR RECREATION AND ENTERTAINMENT EVENTS FOR THE PROPERTY LOCATED AT 841 CLOVIS AVENUE

WHEREAS, Shanna Collotzi and Jeff Spraetz, 841 Clovis Avenue, Clovis, CA 93612, has applied for a Conditional Use Permit CUP2018-11; and

WHEREAS, this is a request to approve a conditional use permit to allow for seasonal outdoor recreation and entertainment events for the property located at 841 Clovis Avenue, in the City of Clovis; and

**WHEREAS**, a public notice was sent out to area residents within 500 feet of said property boundaries ten days prior to said hearing; and

WHEREAS, a duly noticed hearing was held on September 27, 2018; and

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 Exhibit "A" 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 project is in substantial conformance with the environmental analysis performed for the 2014 General Plan updated, 2014 Development Code updated.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Clovis Planning Commission does approve CUP2018-11, subject to the attached conditions labeled Exhibit "A."

* * * * *

The foregoing resolution was adopted by the Clovis Planning Commission at its regular meeting on September 27, 2018, upon a motion by Commissioner _____, seconded by Commissioner _____, and passed by the following vote, to wit:

AYES:



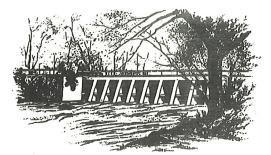
PLANNING COMMISSION RESOLUTION NO. 18-___ DATED: September 27, 2018

Paul Hinkle, Chair

ATTEST:

Dwight Kroll, AICP, Secretary

**CORRESPONDENCE FROM AGENCIES** 





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

YOUR MOST VALUABLE RESOURCE - WATER

September 10, 2018

Ms. Joyce Roach City of Clovis Planning and Development Services Department 1033 Fifth St. Clovis, CA 93612

RE: Conditional Use Permit No. 2018-11 N/E Barstow and Clovis avenues

Dear Ms. Roach:

The Fresno Irrigation District (FID) has reviewed the Conditional Use Permit No. 2018-11 for which the applicant request approval for outdoor recreation and entertainment events, APN: 497-094-02. FID has the following comment:

1. FID does not operate or maintain any facility located on the subject property as shown on the attached FID exhibit map.

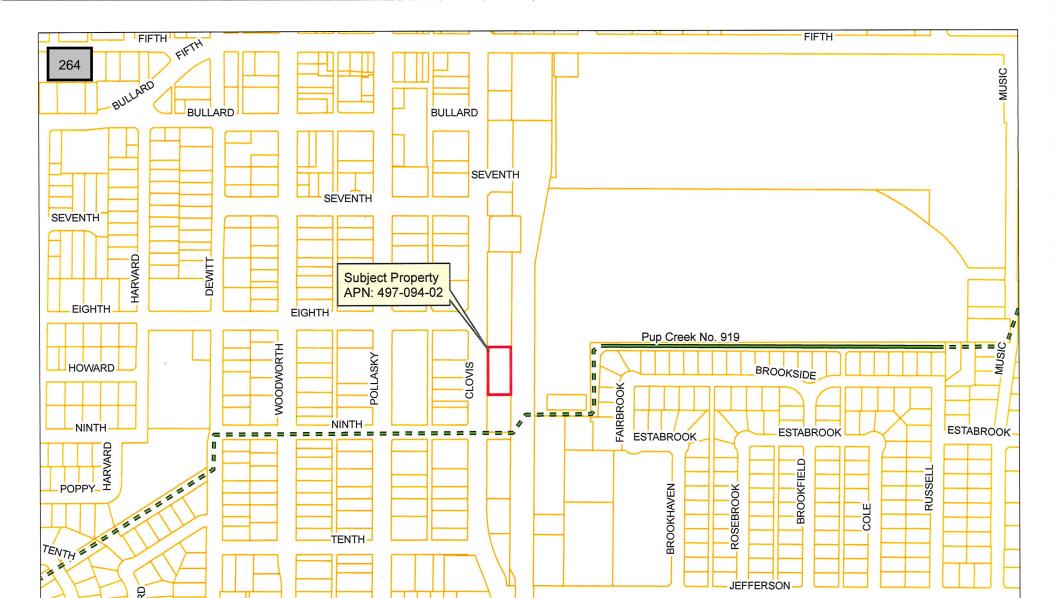
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or clundeen@fresnoirrigation.com.

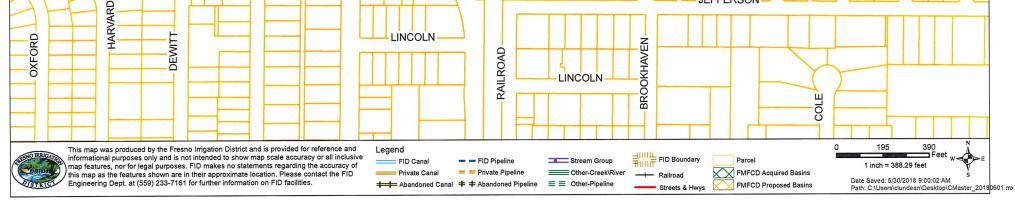
Sincerely,

Laurence Kimura, P.E. Chief Engineer

Attachment

G:\Agencies\Clovis\Conditional Use Permit\CUP2018-11.doc







# **County of Fresno**

## DEPARTMENT OF PUBLIC HEALTH

David Pomaville, Director Dr. Sara Goldgraben, Health Officer

August 10, 2018

LU0019577 2604

Joyce Roach, Planning Intern City of Clovis Planning and Development Services Department 1033 Fifth Street Clovis, CA 93612

Dear Ms. Roach:

PROJECT NUMBER: DRC2018-43

**DRC2018-43**, Proposal for a multi-use permit to operate seasonal businesses at the location: pumkin patch, Christmas tree lot, Valentine's Day flowers, rodeo day, farmers market or weekend family fun events.

#### APN: 497-094-02

#### ADDRESS: 841 Clovis Avenue

Recommended Conditions of Approval:

- As the Conditional Use Permit holder, Hodges Investment Group LLC, shall be responsible for ensuring that all food vendors operating at the facility remain in compliance with Fresno County Department of Public Health, Environmental Health Division permit requirements. All mobile food preparation units operating at the facility shall have a valid Fresno County Department of Public Health Permit to Operate, and operate within the scope of their permit.
- Community events which provide retail food sales to the attending public, will be subject to permit requirements and inspections from this Department. Community events shall be operated by a non-profit organization. Contact the Consumer Food Protection Program at (559) 600-4058 for more information.
- The proposed projects including the use of amplified speakers, have the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.
- AB 1616, the California Homemade Food Act allows certain low risk foods to be made in private homes and sold to the public. This type of home-based business is known as a Cottage Food Operation or CFO. A CFO is allowed to prepare only non-potentially hazardous foods in a private home. The foods prepared must be listed on the State's approved list of food products. CFO's must be either registered or permitted by this office prior to producing and selling or giving away food. For more information and how to obtain a CFO permit, please contact the Consumer Food Protection Program at (559) 600-3357.
- In accordance with California Food Code Section 114259.5 Prohibiting animals: (except under specific situations) live animals shall be kept at least 20 feet (6 meters) away from any mobile food prep unit, mobile food facility, temporary food facility, or certified farmers' market.

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 The County of Fresno is an Equal Employment Opportunity Employer www.co.fresno.ca.us • www.fcdph.org

- Permanent restroom facilities are required. All permitted mobile food facilities and/or mobile food preparation units that may be operating inside the facility boundary shall be located within 200 feet of an approved permanent restroom facility (California Retail Food Code Section 114315).
- Should alcohol sales be proposed, the applicant shall contact the California Alcoholic Beverage Control Department at (559) 225-6334 for information related to applying for and obtaining a license to sell alcoholic beverages at special events.

**REVIEWED BY:** Digitally signed by Kevin Tsuda DN: cn=Kevin Tsuda, o=Environmental Health Division, ou=Fresno County Department of Public Health, email=kisuda@co.fresno.ca.us, c=US Date: 2018.08.10 14:09:00 -07'00' Kevin Tsuda Kevin Tsuda, R.E.H.S. Environmental Health Specialist II (559) 600-3271

ΚT

cc: Rogers, Moreno, Gore & Bal-Environmental Health Division (CT. 56.02) Shanna Collotzi- Applicant (<u>sspraetz17@gmail.com</u>)

File	No.	21	0.4	133
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<b>FRESNO</b>	METROPOLITAN FLOOD CONTROL DISTRIC
4	<b>NOTICE OF REQUIREMENTS</b>

Page 1 of 3

#### **PUBLIC AGENCY**

DDOJECT NO. 2019 011

JOYCE ROACH DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES CITY OF CLOVIS 1033 FIFTH ST. CLOVIS, CA 93612

#### **DEVELOPER**

SHANNA COLLOTZI & JEFF SPRAETZ 841 CLOVIS AVE. CLOVIS, CA 93612

ADDRESS: APN:	841 CLOVIS AVE. 497-094-02				SENT: 9/13/18
Drainage Area(s)	Preliminary Fee(s)		Development Review Service Charge(s)	Fee(s)	Ne and a
4C		\$0.00	NOR Review	\$50.00	To be paid prior to release of District comments to Public Agency and Developer.
			Grading Plan Review	\$0.00	Amount to be submitted with first grading plan submittal.
	Total Drainage Fee:	\$9.00	Total Service Charge:	\$50.00	and a strength

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 8/30/18 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.

Fees may be calculated based on the actual percentage of runoff if different than that typical for the zone district underb.) 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.

Any request for a drainage fee refund requires the entitlement cancellation and a written request addressed to the

f.) 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.

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L CUP No. 2018-011

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

#### Page 2 of 3

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

- 1. <u>X</u> a. Drainage from the site shall REMAIN AS EXISTING.
  - **b.** Grading and drainage patterns shall be as identified on Exhibit No.
  - 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
  - X 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
  - X_ None Required
- 4. Availability of drainage facilities:
  - X 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.)
  - <u>X</u> 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.

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

#### Page 3 of 3

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.

See Exhibit No. 2 for additional comments, recommendations and requirements.

bel Campbell

Debbie Campbell Design Engineer

X

Michael Maxwell Project Engineer

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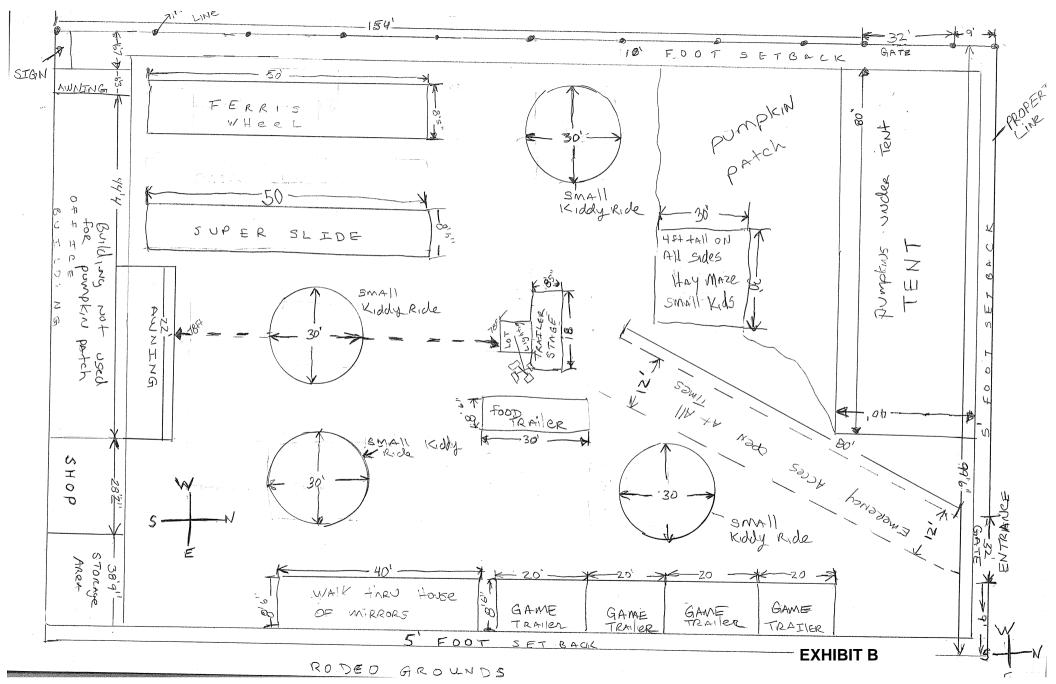
7.

## OTHER REQUIREMENTS EXHIBIT NO. 2

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

Development No. Clovis CUP 2018-011

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AGENDA ITEM NO: 8



# CITY of CLOVIS

REPORT TO THE PLANNING COMMISSION

- TO: Clovis Planning Commission
- FROM: Planning and Development Services
- DATE: September 27, 2018
- SUBJECT: Consider items associated with the 2015-2023 Housing Element's Regional Housing Needs Assessment. City of Clovis, applicant.
  - a. Consider Approval, Res. 18-___, GPA2018-05, A text modification to the General Plan to add Multiple-Family Housing to the list of typical uses in Public, Schools, and Water designations and add the RHN (Regional Housing Needs) Zone District as a typical use within residential zoned properties.
  - b. Consider Approval, Res. 18-___, OA2018-03, A text modification to the Development Code to provide for Multiple-Family Housing as a permitted use in the P-F (Public Facility) Zone District and to add a new RHN (Regional Housing Needs) overlay zone district.

ATTACHMENTS: A. Draft Resolutions B. Draft RHN (Regional Housing Needs) Overlay District

## **CONFLICT OF INTEREST**

None

## RECOMMENDATION

Staff recommends that the Planning Commission approve GPA2018-05 and OA2018-03.

## EXECUTIVE SUMMARY

Staff is recommending amendments to both the General Plan and Development Code to address the City's Fourth Cycle Regional Housing Needs Assessment related to the

General Plan's Housing Element. The recommended modifications are necessary to maintain General Plan compliance and certification of the Housing Element.

## BACKGROUND

The City of Clovis is currently addressing a shortfall of affordable housing identified in the 2007-2012 Regional Housing Needs Assessment ("RHNA"). The RHNA, included a shortfall of land to accommodate 4,425 units at a minimum density of 20 units per acre. In the current Housing Element (adopted in April of 2016) the City committed to a rezone program for the unaccommodated 4,425 units to be completed no later than December 31, 2016. On July 22, 2016, HCD found the Housing Element to be in compliance with State law, based on a commitment to provide "adequate zoning on at least 221 acres of land by December 31, 2016 to cover the unaccommodated need from the Fourth Cycle RHNA of 4,425 lower-income units."

On January 1, 2018, AB 72 went into effect, which allows HCD to refer any local government that does not comply with State housing law, including the submission of the Annual Progress Report (APR), to the State Attorney General's Office. Because of this new law, the City was required to submit APRs for 2016 and 2017 by April 1, 2018.

Staff reported this matter to the City Council on March 12, 2018, and several options were presented the Council for fulfilling this need. A resolution was adopted summarizing the steps the City has taken to address housing needs, and affirming the City's regional housing needs commitment.

However, the rezoning could not take place before the submission of the APRs. On May 7, 2018, HCD requested a status on the implementation of the rezone program. HCD followed up with a letter on June 27, 2018, threatening to revoke the City's Housing Element compliance. Staff responded to HCD by providing an anticipated schedule for program implementation. On August 30, 2017, the City received a letter from HCD stating that the Housing Element no longer substantially complies with State law. The City has 30 days to respond to HCD's findings, and HCD is required to review the City's response before taking any action, including notifying the Attorney General.

It is the City's intent to comply with the rezone program to bring the Housing Element into compliance. Many options have been presented, and staff have spent many hours working on other solutions. Two of those solutions are being presented which accommodate more than the required 4,425 units.

#### PROPOSAL AND ANALYSIS

Staff is presenting two separate rezone programs to address the unaccommodated RHNA. Per State Housing and Community Development, at least half of the 4,425 units must be addressed through a rezone program that permits multiple-family housing at a density of 20 units per acre, as a primary use and permitted without a public hearing process (ministerial

approval). This is only possible through rezoning properties to an R-4 (Multiple-Family) Zone District, or by amending the ordinance to allow multiple-family in other zone districts.

The other half of the 4,425 units can be accommodated through an overlay zone district which is a second layer of zoning that allows additional uses while leaving the base zoning in place. As an example, a property zoned R-1 (Single-Family), would permit a developer to subdivide and construct a single-family project, or utilize the permitted uses and development standards within an overlay district. The result of an overlay district is, the zoning rights of the base layer are not removed as is the case with a conventional rezone.

#### **Multiple-Family on Public Facilities**

The City of Clovis recently approved an award winning senior housing facility on Sierra Avenue just west of State Route 168 (Magnolia Crossing). The success of this project was due in part to the partnership between the City of Clovis, Fresno Metropolitan Flood Control District, and a private affordable housing developer to purchase and build a project on a former ponding basin on residual land created by State Route 168. Prior to development, this land was designated as "Water" in the General Plan.

As staff researched similar opportunity sites in the City, it was discovered that there are additional lands designated Public, Schools, and Water that could be an opportunity site for future housing. Some of these properties are not currently zoned consistent with the underlying General Plan designation, however, a cleanup rezone could follow to bring those lands into conformance, therefore providing opportunity for housing.

Staff is proposing to amend the General Plan and Development Code to permit multiplefamily housing in the P-F (Public Facility) Zone District at a density of 30 to 43 units per acre. The proposed amendments are discussed in detail below.

#### General Plan Amendment (P-F)

Staff is recommending a text amendment to the General Plan land use tables to permit multiple-family housing in three categories including Public, Schools, and Water. Currently there are approximately 1,700 acres of land designed in these three categories of which approximately 100 acres could reasonably accommodate future development. These opportunity sites are either owned by the City, vacant, underutilized, and/or considered prime opportunity properties. None of the lands listed are current water basins. The recommendation to permit multiple-family housing in the Public designated lands at a density of 30-43 units per acre could accommodate from 3,000 to 4,300 units.

The General Plan currently lists "Typical Uses" in Table LU-2. The table below indicates the current descriptions in the General Plan and the proposed modifications highlighted in blue.

## Table LU-2. Land Use Designations

Land Use Designation and	
Density/Intensity Range	
Public/Quasi-Public Facilities (P) Max FAR 1.0 30.0 to 43.0 units per acre	Public and quasi-public uses such as city hall facilities, maintenance yards, cemeteries, churches, meeting halls and rodeo grounds. Residential use is permitted with no area restriction.
Schools (S) 30.0 to 43.0 units per acre	Existing or proposed school sites. Public and private schools are a permitted use in all single-family residential areas. More specific sites may be identified through the master planning of each Urban Center. Residential is permitted with no area restriction.
Water (W) 30.0 to 43.0 units per acre	Existing and planned water retention and other flood control facilities. Residential is permitted with no area restriction.

## Ordinance Amendment (P-F)

In order to accommodate multiple-family development in these described General Plan designated areas, the zoning would need to be amended. Staff recommends a modification to the Development Code to add "Multiple-Family developments per the R-4 development standards and Multiple-Family Design Guidelines" to the list of permitted uses in the P-F Zone District (see below). Renumbering of the section would also be required.

#### 9.16.020 Special purpose district land uses and permit requirements.

- A. Allowable uses in the O District. Allowable uses and permit requirements in the O (Open Space Conservation) District.
  - 1. The following uses are allowed, subject to the approval of a site plan review by the Director:
    - a. Flood control channels, greenbelts, park drives, parkways, ponding basins, spreading grounds, and utility easements;
    - b. Recreation areas, parks, playgrounds, trails and wildlife preserves and sanctuaries, including related accessory structures; and
    - c. Historic and cultural sites.
  - 2. The following uses may be allowed subject to the approval of a conditional use permit:
    - a. Caretaker and employee housing.
    - b. Flood control facilities, freeways.
    - c. Passive education facilities related to wildlife preserves and sanctuaries.
- B. Allowable uses in the P-F District. Allowable uses and permit requirements in the P-F (Public Facilities) District.
  - 1. The following uses are permitted, subject to site plan review.
    - a. Multiple-Family developments per the R-4 development standards and Multiple-Family Design Guidelines.
  - **2**. The following uses are allowed, subject to the approval of a site plan review by the City Council:
    - a. Buildings, structures and sites owned, leased or operated by the City of Clovis, the State government, the government of the United States, the school district or a special district which does not specifically require an AUP or a CUP, including:

- i. City Hall facilities;
- ii. Fire stations;
- iii. Police stations;
- iv. City utility facilities;
- v. Small domestic violence shelters.
- Administrative use permit. The following uses may be allowed subject to an administrative use permit and a site plan review by the City Council:
  - a. Wireless communication facilities;
  - b. Publicly owned and operated telecommunication towers;
  - c. Freeways.
- **4**. Conditional use permit. The following uses may be allowed subject to the approval of a conditional use permit and a site plan review by the City Council:
  - a. Public assembly/meeting facilities;
  - b. Publicly owned energy transmitting or generating facilities;
  - c. Cemeteries;
  - d. Clubs, lodges, and fraternal organizations, provided the chief activity of any such use is not one which is customarily carried on as a business;
  - e. Hospitals, including convalescent;
  - f. Large domestic violence shelters;
  - g. Post offices;
  - h. Public parking facilities (e.g., lots/garages);
  - i. Public structures and grounds (auditoriums, courts, libraries, meeting halls, museums, etc.);
  - j. Public utility facilities; and
  - k. Schools, private and public. (§ 2, Ord. 14-13, eff. October 8, 2014)

#### **Overlay Zone District**

An overlay zone district is a special zone district that permits an additional layer of permitted uses and/or standards over and beyond the existing zoning in which it covers. A good example of this is the Harlan Ranch Master Plan Community where there are a number of base zone districts with an overlay zone district (Harlan Ranch Master Plan) that permits additional uses. Unlike rezoning a property, an overlay does not eliminate the permitted uses allowed on the property, however, adds uses as an opportunity to those sites.

Within the City limits, there exists approximately 150 acres ranging from 2.0 and 5.0 acres and currently zoned residential that could reasonably accommodate multiple-family development. The RHN Overlay District would permit projects between 35 and 43 units per acre, which would equate to 5,250 to 6,450 units.

#### General Plan Amendment (Overlay)

Staff is recommending a text amendment to the General Plan land use table LU-3, to include the RHN Overlay Zone as a consistent district in all Residential categories. Specific modifications area shown in blue highlights in the table below.

Table LU-3. General Flan al	
Rural Residential (RR)	Rural Residential (R-R)
	Regional Housing Needs (RHN) Overlay District
Very Low Density (VL)	Single-Family Residential (R-A, R-1-A, R-1-AH)
	Regional Housing Needs (RHN) Overlay District
Low Density (L)	Single-Family Residential (R-1, R-1-B, R-1-C)
	Regional Housing Needs (RHN) Overlay District
Medium Density (M)	Single-Family Residential (R-1)
	Single-Family Medium Density (R-1-MD)
	Single-Family Planned Residential Development (R-1-PRD)
	Mobile Home Park (MHP)
	Urban Center (UC)
	Regional Housing Needs (RHN) Overlay District
Medium High Density (MH)	Medium Density Multiple-Family (R-2, R-2-A)
	Single-Family Planned Residential Development (R-1-PRD)
	Urban Center (UC)
	Regional Housing Needs (RHN) Overlay District
High Density (H)	High Density Multiple-Family (R-3, R-3-A)
	Multiple-Family Very High Density (R-4)
	Urban Center (UC)
	Regional Housing Needs (RHN) Overlay District
Very High Density (VH)	Multiple-Family Very High Density (R-4)
	Regional Housing Needs (RHN) Overlay District

## Table LU-3. General Plan and Zoning Consistency

#### Ordinance Amendment (Overlay)

Staff is recommending an overlay zone district that would apply throughout the current city limits. The RHN (Regional Housing Needs) Overlay District would permit multiple-family housing on all residential zoned properties with an area of 2.0-5.0 acres. The property must be zoned residential and designated as residential in the General Plan. A property owner would not be able to apply for a General Plan Amendment or rezone to accommodate the RHN Overlay District.

Staff is recommending the RHN Overlay District as a new section in the Development Code to address very-high density housing consistent with the Clovis Regional Housing Needs Assessment. The RHN Overlay District utilizes development standards similar to the R-4 Zone District. Approval of a site plan review is necessary to develop within the RHN Overlay District. Specific details of the RHN Overlay District are summarized in Attachment B.

#### Summary of Units

The City's target to meet the RHNA is 4,425 units at a minimum of 20 units per acre. The two programs combined will accommodate between 8,250 and 10,750 units. The reasoning for more units than needed is due to a couple factors. State legislation requires a City to replace acreage lost due to rezoning, or development of land that is in conflict with the intent of the rezone program to address RHNA. Secondly, the methodology to select parcels for an overlay program must be based on logical criteria such as size and zoning. For example, the selection cannot be based on factors such

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as location or economic condition of an area of the City. Staff's recommendation provides for enough units to absorb the loss of lands due to development of properties inconsistent with the intent of the RHNA rezone programs.

#### California Environmental Quality Act (CEQA)

This Project is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15283 of the CEQA Guidelines.

The City published notice of this public hearing in *The Business Journal* on Friday, September 14, 2018.

#### FISCAL IMPACT

The cost associated with a General Plan Amendment and Ordinance Amendment is \$8,075 and \$3,975 respectively. Costs associated with this application are being paid by the City of Clovis.

#### **REASON FOR RECOMMENDATION**

The request to approve this General Plan Amendment and Ordinance Amendment is in response to the State Department of Housing and Community Development enforcement of Clovis' unaccommodated need for housing related the Housing Element and Regional Housing Needs Assessment. Approval of this amendment is required to keep the City's Housing Element in compliance. Therefore, staff recommends that the Planning Commission approve GPA2018-05, and OA201803.

#### **ACTIONS FOLLOWING APPROVAL**

This item will continue to the City Council for final consideration.

Prepared by:

Bryan Araki, City Planner

Reviewed by:

by: Bryan Araki City Planner

## ATTACHMENT A

GPA2018-05 and OA2018-03 Draft Resolutions

#### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING A TEXT AMENDMENT TO THE GENERAL PLAN LAND USE TABLE TO ADDRESS THE REGIONAL HOUSING NEEDS ASSESSMENT AND MAKING MULTIPLE-FAMILY HOUSING A PERMITTED USE ON PUBLIC FACILITY PROPERTIES

WHEREAS, On September 10, 2018, the Council initiated a General Plan Amendment to address the State Department of Housing and Community Development Regional Housing Needs Assessment; and

WHEREAS, The City of Clovis, 1033 Fifth Street, Clovis, CA 93612, acting as the Applicant, submitted a General Plan Amendment GPA2018-05; and

**WHEREAS**, The Applicant submitted an application to amend the text to the General Plan to add Multiple-Family Housing to the list of typical uses in Public, Schools, and Water designations; and

WHEREAS, a public notice was published in the Business Journal on September 14, 2018, and

WHEREAS, a duly noticed hearing was held on September 27, 2018; and

WHEREAS, on September 27, 2018, the Planning Commission considered testimony and information received at the public hearing and the oral and written reports from City staff, as well as other documents contained in the record of proceedings relating to General Plan Amendment GPA2018-05 which are maintained at the offices of the City of Clovis Department of Planning and Development Services; and

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

- a. The proposed amendment is internally consistent with the goals, policies, and actions of the General Plan; and
- b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City; and
- c. There is a compelling reason for the amendment.
- e. The Project is not subject to California Environmental Quality Act (CEQA) pursuant to Section 15283 of the CEQA Guidelines.

**NOW, THEREFORE, BE IT RESOLVED** that the Clovis Planning Commission does recommend approval of General Plan Amendment GPA2018-05, per the Attachment "1."

k

* * * *

The foregoing resolution was approved by the Clovis Planning Commission at its regular meeting on September 27, 2018, upon a motion by Commissioner _____, seconded by Commissioner _____, and passed by the following vote, to wit:

AYES:

ABSENT: ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 18-____ DATED: September 27, 2018

Paul Hinkle, Chair

ATTEST:

Dwight Kroll, AICP, Secretary

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#### DRAFT RESOLUTION 18-____

#### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS RECOMMENDING APPROVAL OF AN ORDINANCE AMENDMENT TO THE CLOVIS DEVELOPMENT CODE TO ADDRESS THE REGIONAL HOUSING NEEDS ASSESSMENT AND PERMITTING MULTIPLE-FAMILY HOUSING IN THE P-F ZONE DISTRICT

WHEREAS, On September 10, 2018, the Council initiated An Ordinance Amendment to address the State Department of Housing and Community Development Regional Housing Needs Assessment; and

**WHEREAS**, The City of Clovis, 1033 Fifth Street, Clovis, CA 93612, acting as the Applicant, submitted an Ordinance Amendment OA2018-03; and

WHEREAS, The Applicant submitted an application to amend the text to the Development Code to add Multiple-Family Housing to the list of permitted uses in the P-F (Public Facilities) Zone District; and

WHEREAS, a public notice was published in the Business Journal on September 14, 2018, and

WHEREAS, a duly noticed hearing was held on September 27, 2018; and

WHEREAS, the Planning Commission reviewed the record of proceedings, including the staff report and other written records presented to, or otherwise made available to, the Planning Commission on this matter, and considered all oral comments made during the public hearing; and

**WHEREAS**, the Planning Commission finds that the Ordinance Amendment is consistent with the General Plan and any remaining applicable specific plans.

**NOW, THEREFORE,** the Planning Commission of the City of Clovis adopts the foregoing recitals as true and correct and resolves as follows:

- 1. Recommends that the City Council approve the Amendment to the Development Code as set forth in the attached Proposed Ordinance Amendment (Attachment 1).
- 2. Directs that the record of proceedings be contained in the Department of Planning and Development Services located at 1033 5th Street, Clovis, CA 93612, and that the custodian of the record be the City Planner, Bryan Araki, or other person designated by the Director of Planning and Development Services.
- 3. Directs that these recommendations be immediately transmitted to the City Council for consideration

* * * * *

The foregoing resolution was introduced and adopted by the Clovis Planning Commission at its regular meeting on September 27, 2018, upon a motion by Commissioner _____, seconded by Commissioner _____, and passed by the following vote, to wit:

AYES: NOES: ABSENT: ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 18-___

Paul Hinkle, Chair

ATTEST:

Dwight Kroll, AICP, Secretary

## ATTACHMENT B Draft Development Code Amendment

#### 9.18.050 RHN (Regional Housing Needs) Overlay District

- A. The RHN Overlay District, is intended to provide affordable housing at a density of 35 to 43 units per acre on properties that meet the minimum qualifications below.
- B. General requirements.
  - 1. Density
    - a. The minimum density in the RHN Overlay District shall be a minimum of 35 units per gross acre, not to exceed 45 units per gross acre.
  - 2. Land Use
    - a. The R-H-N Overlay District shall apply to any residentially zoned property that is a minimum of 2.0 acres and a maximum of 5.0 acres, designated and zoned residential.
    - c. The R-H-N Overlay District shall apply to property within the City limits as defined on the effective date of this Ordinance Amendment per the map listed as Exhibit A.
  - 3. Initiation.
    - A new RHN Overlay District may be initiated by the Council, the Commission, or the property owner(s), in compliance with Chapter <u>86</u> of this title (Amendments (Development Code, General Plan, and Zoning Map).
  - 4. Property development standards.
    - a. Lot coverage shall not exceed 60%.
    - Maximum height shall not exceed 4-stories and 50 feet. Additional height/stories may be allowed, in compliance with Chapter 64 of this title (Conditional Use Permits).
    - c. Setbacks shall be as follows:
      - Street Frontage 15 feet
      - Street Side 15 feet. For a structure exceeding thirty-five feet (35') or two and one-half (2-1/2) stories, the required setback shall be increased at the rate of three inches (3") for each foot of height increase.
      - Interior side 5 feet for each story
      - Rear 15 feet. For a structure exceeding thirty-five feet (35') or two and one-half (2-1/2) stories, the required setback shall be increased at the rate of three inches (3") for each foot of height increase for single story plus 5 feet for each additional story
      - d. Gates and Fencing
        - All vehicle and pedestrian gates and fencing shall conform with Fire Department Standards.

- Interior fencing adjacent to a high density or higher land use may be substituted with a decorative tubular steel fence.
- Main vehicle entry gate shall be constructed per City of Clovis Standards, requiring a turnaround for vehicles that cannot gain entry.

#### e. Parking

- Parking shall be provided at a ratio of:
- Two stalls per unit for one to two bedroom units
- Three stalls per unit for three or more bedroom units.
- A minimum of one stall per unit shall be covered.
- Parking shall be marked and striped per Multiple-Family Parking Standards.
- Two-way drives shall be a minimum of 26 feet in width or as otherwise required by the Fire Department.
- f. Architectural Design
  - Units shall utilize durable exterior materials such as stucco, cement board, concrete, or similar. Wood siding should be avoided with exception to trim.
    - Buildings containing three or more attached units in a row shall incorporate at least one architectural projection per unit. Such projection must project no less than two feet from the major wall plane, and at least five feet wide, and extend the height of the unit.
  - Buildings containing three or more attached units in a row shall incorporate articulated roof design to avoid continuous single planes. Articulation may be achieved by changes in plane of no less than two feet and the use of traditional roof forms such as gables, hips and dormers.
    - On larger projects with four or more attached units in a row on a single building, subtle changes in exterior color is encouraged to increase visual interest and reduce monotony. Building groups can also be painted with different colors or shades. Subtle changes in colors and shade is encouraged.
- g. Security
  - All parking structures, walkways and trash receptacles shall be lighted during the hours of darkness.

- All roadways within the complex shall be private streets and monitored by the apartment manager or an HOA.
- Emergency pedestrian gates shall be installed along street side perimeter fencing for Fire and Police Department access. Gates shall be accessible per Fire Department lock standards.

#### h. Open Space

- Private and/or common open space shall be provided at a ratio of 260 square feet per unit.
- Open space shall include recreation equipment for all ages.
   Open areas shall be useable and landscaped only to enhance the area or provide shade.

#### i. Transit

- Projects of 50 units or more, located on a designated transit route should provide a bus pullout and furniture in coordination with Clovis and Fresno Transit.
- j. Utilities

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- All on-site utilities shall be underground.
- k. Multiple-Family Design Guidelines
  - Development shall be consistent with the Multiple-Family Design Guidelines.

#### 5. Utilities

a. Developer shall contact the City of Clovis Engineering Division to verify adequate sewer and water infrastructure and capacity.

#### 6. Entitlements

a. Project development is subject to site plan review.