



# CITY of CLOVIS

AGENDA • AUGUST 22, 2019

**Thursday, August 22, 2019**

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

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

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

The Planning Commission welcomes you to this meeting.

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

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

## ABOUT THE MEETING

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

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

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

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

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

\* \* \* \* \*

CALL TO ORDER

FLAG SALUTE

ROLL CALL

APPROVAL OF MINUTES

- 1. Planning Commission Minutes for the meeting of July 25, 2019.

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. 19-\_\_\_, TM6277, A request to approve a tentative tract map for an 8-lot single-family residential development with a remainder lot for properties located at the northeast corner of Locan and Teague Avenues. Tarlton Fresno, LLC, owner; David D. Shepard Construction, Inc., applicant; R.W. Greenwood Assoc., Inc., representative.

**Staff:** Lily Cha, Assistant Planner

**Recommendation:** Approve

ADJOURNMENT

3. MEETING DATES

September 26, 2019 - Regular Meeting

3

October 24, 2019 - Regular Meeting

November 21, 2019 - Regular Meeting

CLOVIS PLANNING COMMISSION MINUTES  
July 25, 2019

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

Flag salute led by Chair Hatcher

Present: Commissioners Antuna, Cunningham, Hinkle, Chair Hatcher

Absent: Commissioner Bedsted

Staff: Orlando Ramirez, Deputy City Planner  
Maria Spera, Planning Technician II  
Joyce Roach, Planning Assistant  
Gene Abella, Engineer II  
Michael Linden, Assistant City Attorney

MINUTES

1. The Commission approved the July 11, 2019, minutes with a correction by a vote of 4-0-1.

COMMISSION SECRETARY

None.

PLANNING COMMISSION MEMBERS COMMENTS

Commissioner Hinkle informed regarding SB969, effective July 1, 2019, which requires battery backup for garage door openers, as a result of several deaths in the Paradise Fire tragedy due to people becoming trapped in their garages.

COMMUNICATIONS AND REFERRALS

None.

BUSINESS FROM THE FLOOR

Ray Chung, representing Crunch Fitness, provided information on the grand opening of the facility at 284 W. Shaw Avenue and invited all to attend, expressed gratitude for the reception and cooperation received from City of Clovis staff, and gifted shirts and bags to the Planning Commission members.

## CONSENT CALENDAR

None

## PUBLIC HEARINGS

2. Consider approval Res. 19-27, **CUP2018-11**, A request to approve review findings and amended conditions of approval associated with an approved conditional use permit to allow for seasonal outdoor recreation and entertainment events for the property located at 841 Clovis Avenue.

Planning Assistant Joyce Roach presented the staff report.

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

Shanna Collotzi of 2788 E. Omaha Avenue provided information on the status of communication with staff and compliance with the conditions of approval since the previous review, followed by an offer to answer questions.

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

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

There being none, the Chair closed the public portion.

Commissioner Hinkle sought and received confirmation that alcohol sales are prohibited during the proposed events, then sought clarification regarding the presence of Fire Department conditions relating to outdoor beer gardens. Planning Assistant Roach responded that Fire staff had informed Planning staff that they were part of a set of standard conditions regarding outdoor events, hence their inclusion.

Commissioner Hinkle stated that he wanted it understood that the applicants are not being allowed to have an outdoor beer garden.

Commissioner Hinkle then sought and received confirmation that the shed displays are now permitted.

Commissioner Antuna expressed satisfaction with the conditions of approval and with the applicants' compliance with the Commission's requirements, and expressed that there are enough conditions to ensure they provide their service to the community while also controlling what will happen when they do hold the Rodeo Week event.

Commissioner Hinkle inquired as to whether the project would be reviewed by the Commission in one year. Deputy City Planner Orlando Ramirez responded that he did not believe the project is so conditioned. Planning Assistant Roach responded that it is a possibility. Deputy City Planner Ramirez stated that though the project is not conditioned that way, the

Commission has the ability to make that request and include it in the conditions of approval if they would like to see the project one year after operation.

Commissioner Hinkle stated that it would be appropriate to see the project in one year, as they have not yet seen one full year of operation and there have been issues with this project. Deputy City Planner Ramirez stated which existing condition can be modified.

At this point, a motion was made by Commissioner Hinkle and seconded by Commissioner Cunningham to approve CUP2018-11 with modification to condition #4 to require a one-year review. The motion was approved by a vote of 4-0-1.

3. Consider approval Res. 19-28, **TM6273**, A request to approve a tentative tract map for an 8-lot single-family subdivision located at the northwest corner of Ashlan and Armstrong Avenues. Joseph Crown Construction & Development Inc., owner/applicant; LandDesign Consulting Inc., representative.

Planning Technician II Maria Spera presented the staff report.

Commissioner Hinkle, after describing the street lane configuration at the entry to the project site, inquired as to whether there would be any problem with traffic going north attempting to make a left turn into the subdivision. Engineer II Gene Abella responded that, after examining that issue as well as the entry's proximity to the intersection, Engineering staff did not see that to be an issue due to the number of lots.

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

Jose Ramos of 3034 Tule Lane, the president of LandDesign Consulting, representing the applicant, expressed gratitude for City staff, provided some information on the project and offered to answer questions.

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

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

Ryan Jackson of 3230 Armstrong Avenue expressed concern regarding traffic, but more especially privacy regarding his children and two-story houses going up and looking into his yard.

Commissioner Hinkle sought and received confirmation that Mr. Jackson lives across Ashlan Avenue from the project site and that there is an existing fence. He then explained that, with the width of Ashlan Avenue, line-of-sight to the interior of Mr. Jackson's yard from a window on the proposed site would require a house taller than what ordinance allows.

Engineer II Abella informed that there are approximately 140 feet from the block wall on the south side of Ashlan to the existing fence line north of the sidewalk. Deputy City Planner

Ramirez explained that when including the twenty-foot setbacks on both the north and south sides of Ashlan Avenue, the distance is closer to 200 feet.

Mr. Jackson inquired as to whether the applicant intends to plant trees in the yards. Commissioner Hinkle responded that such is up to the homeowner and that 200 feet is quite a distance for line-of-sight concerns.

Mr. Jackson rebutted with a certainty that he will be able to see the backs of houses on the project site from a seated position in his backyard, which means that the reverse is true, allowing the future residents to see into his backyard. He expressed no objection if the houses will be single-story and inquired as to whether there are any models to view.

Commissioner Cunningham sought and received confirmation that this zoning allows two-stories by right, then explained that at 200 feet, even if Mr. Jackson's fence did not exist, residents of the project would have a more restrictive view and reiterated that two-story homes can be built there by right. Mr. Jackson responded that he is neither opposed to nor in favor of the project, but rather he simply had questions.

Chair Hatcher suggested speaking to the applicant after the meeting to see if they have anything to show him.

At this point the Chair reopened the floor to the applicant.

Mr. Ramos chose not to rebut.

At this point, the Chair closed the public portion.

At this point, a motion was made by Commissioner Hinkle and seconded by Commissioner Antuna to approve TM6273 with modification of condition #9. The motion was approved by a vote of 4-0-1.

4. Consider actions related to CUP2018-14, a request to approve a conditional use permit for a proposed memory care facility with the capacity for 80 beds total, on approximately 3.57 acres located at 587 W. Nees Avenue. O'Brien Development, LLC, owner/applicant; The Taylor Group Architects, representative.
  - a. Consider Approval, Res. 19-29, A Resolution of the Planning Commission of the City of Clovis finding that Conditional Use Permit CUP2018-14, for an 80-bed maximum memory care facility on property located at 587 W. Nees Avenue, is exempt from CEQA ("CEQA Resolution"), and making findings with respect thereto.
  - b. Consider Approval, Res. 19-30, A Resolution of the Planning Commission of the City of Clovis approving Conditional Use Permit CUP2018-14, for an 80-bed maximum memory care facility on property located at 587 W. Nees Avenue ("CUP Resolution"), and making findings with respect thereto.

Deputy City Planner Orlando Ramirez presented the staff report.

Commissioner Hinkle inquired as to whether the street with a turnaround on it before is no longer an issue. Deputy City Planner Ramirez responded that the Kenosha Avenue discussion is not part of this project, it's on its own, single currently, parcel, and should the applicant seek to develop that parcel further it will require a parcel map, which is a staff-level public hearing, and at that point a discussion will be had regarding what happens to that stub street.

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

Matt O'Brien of O'Brien Development provided information on the project and informed that both he and the residents of Kenosha Avenue wish to discuss the configuration of the stub street at some point.

Commissioner Cunningham complimented Mr. O'Brien and the neighbors for coming together to work out their differences. He expressed his support for the project and his hope that the City Council will as well.

Deputy City Planner Ramirez clarified that the project will not require a hearing before the City Council if it receives approval from the Planning Commission.

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

Dave Ewing of 604 W. Muncie Avenue expressed appreciation for all of the work put into the project by Mr. O'Brien, his meetings with the neighborhood, and for the Planning Commission and City Council. He concluded with a statement of support for the project.

Bob Colbert of 601 W. Enterprise Avenue expressed gratitude to staff and the Commission for their patience with this project, and to Mr. O'Brien for working with the neighborhood. He stated that he had been in contact with the residents of the existing homes on the stub street of Kenosha Avenue and that they were very excited to hear that homes would be going in to finish the neighborhood. They support the project and are in favor of not having the stub street turned into a cul-de-sac, wishing for bigger lots and corresponding quality single-story homes. He concluded by stating that earlier that day he had watched a street sweeper move through the Kenosha Avenue stub street and had seen no problems.

Jake Gallinetti of 637 W. Muncie Avenue remarked that though it has taken four years, with the neighborhood involvement he recommends the project. He expressed his appreciation for Mr. O'Brien's efforts to work with them, particularly in the last few months. He concluded with a statement that this single-story project is beautiful and he is in favor of it.

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

At this point the Chair reopened the floor to the applicant.

Mr. O'Brien chose not to rebut.



At this point, the Chair closed the public portion, with a reminder that the Kenosha Avenue bulb-out is not an item for consideration.

Commissioner Hinkle informed that he had been present for the presentation of the first iteration of this project, and that though it has been a long road, this is a perfect example of how everybody can come together to make a project work. He expressed his gratitude to both the developer and the community for this cooperation. He informed that there are predications that, by 2040, the Central Valley's population will have increased by one million, and that therefore the senior citizen community will also grow, increasing the need for facilities such as this. From his experiences with his mother in the Horizon facility located at Chestnut and Herndon Avenues, courtyards are a well-used feature that he is glad to see incorporated in this project. He stated that AB101 targets infill lots such as this one and promotes projects such as the development on the northwest corner of Shepherd and Willow Avenues. He concluded with a statement that he has no problem with the proposal.

At this point a motion was made by Commissioner Cunningham and seconded by Chair Hatcher to approve the finding of Exempt from CEQA with modification to the addressing. The motion was approved by a vote of 4-0-1.

At this point a motion was made by Commissioner Cunningham and seconded by Chair Hatcher to approve CUP2018-14 with modification to the addressing. The motion was approved by a vote of 4-0-1.

OLD BUSINESS

None

NEW BUSINESS

None

ADJOURNMENT AT 6:55 P.M. UNTIL the Planning Commission meeting on August 22, 2019.

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Amy Hatcher, Chair



# CITY of CLOVIS

## REPORT TO THE PLANNING COMMISSION

**TO:** Clovis Planning Commission

**FROM:** Planning and Development Services

**DATE:** August 22, 2019

**SUBJECT:** Consider Approval, Res. 19-\_\_\_, TM6277, A request to approve a tentative tract map for an 8-lot single-family residential development with a remainder lot for properties located at the northeast corner of Locan and Teague Avenues. Tarlton Fresno, LLC, owner; David D. Shepard Construction, Inc., applicant; R.W. Greenwood Assoc., Inc., representative.

**Staff:** Lily Cha, Assistant Planner  
**Recommendation:** Approve

- ATTACHMENTS:**
1. Conditions of Approval
  2. Draft Resolution
  3. Correspondence from Agencies
  4. Tentative Tract Map 6277

### CONFLICT OF INTEREST

None.

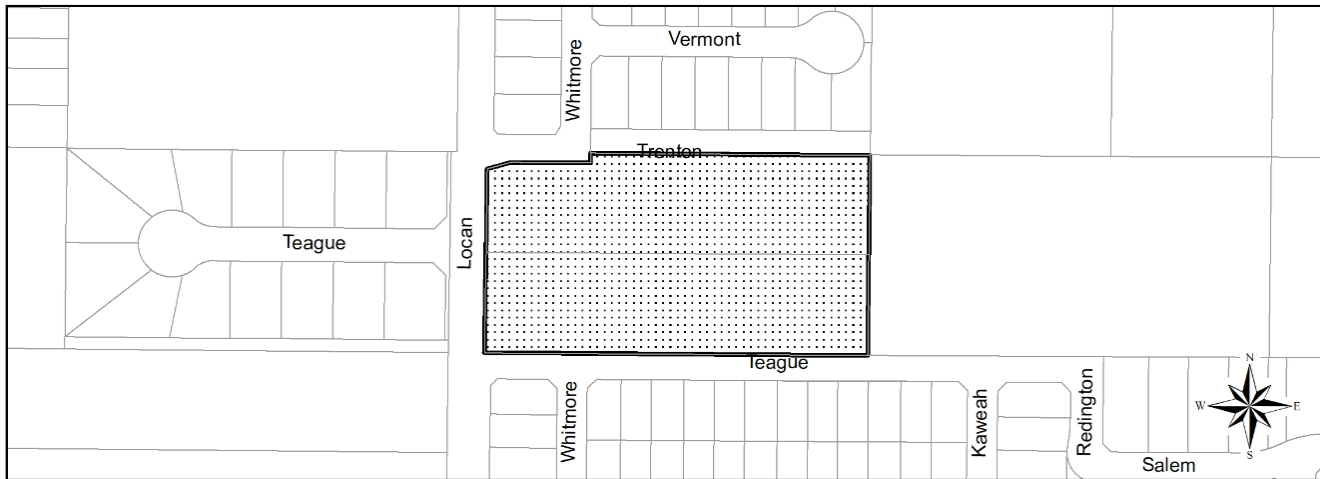
### RECOMMENDATION

Staff recommends that the Planning Commission approve TM6277, subject to the conditions listed in Attachment 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 a tentative tract map approval for an 8-lot single-family residential subdivision with a remainder for properties located on the east side of Locan Avenue, between Teague and Trenton Avenues, as shown in Figure 1 below. Approval of this project would allow the applicant to move forward with the final map process.

**FIGURE 1  
PROJECT LOCATION MAP**



**BACKGROUND**

- General Plan Designation: Very Low Density Residential (0.6- 2.0 du/ac)
- Specific Plan Designation: Herndon Shepherd (Large-lot/ Estate Residential)
- Existing Zoning: R-1-AH (Single-family residential- 18,000 sq. ft.)
- Lot Size: 2.32 acres & 2.39 acres
- Current Land Use: Large lot single-family residential homes on each parcel
- Adjacent Land Uses:
  - North: T6190: 31-lot single-family subdivision (R-1)
  - South: T6128: 44-lot single-family subdivision (R-1-PRD)
  - East: Rural residential single-family home (R-1-AH)
  - West: T6134: 14-lot single-family subdivision (R-1)
- Previous Entitlements: RO267 and R2006-05

The subject property was incorporated into the City in 2006 with RO267, Locan-Nees Reorganization that comprised approximately 551 acres north of Herndon Avenue. Incorporated properties were pre-zoned through R2006-05 respectively to their designations in the General Plan and Herndon-Shepherd Specific Plan.

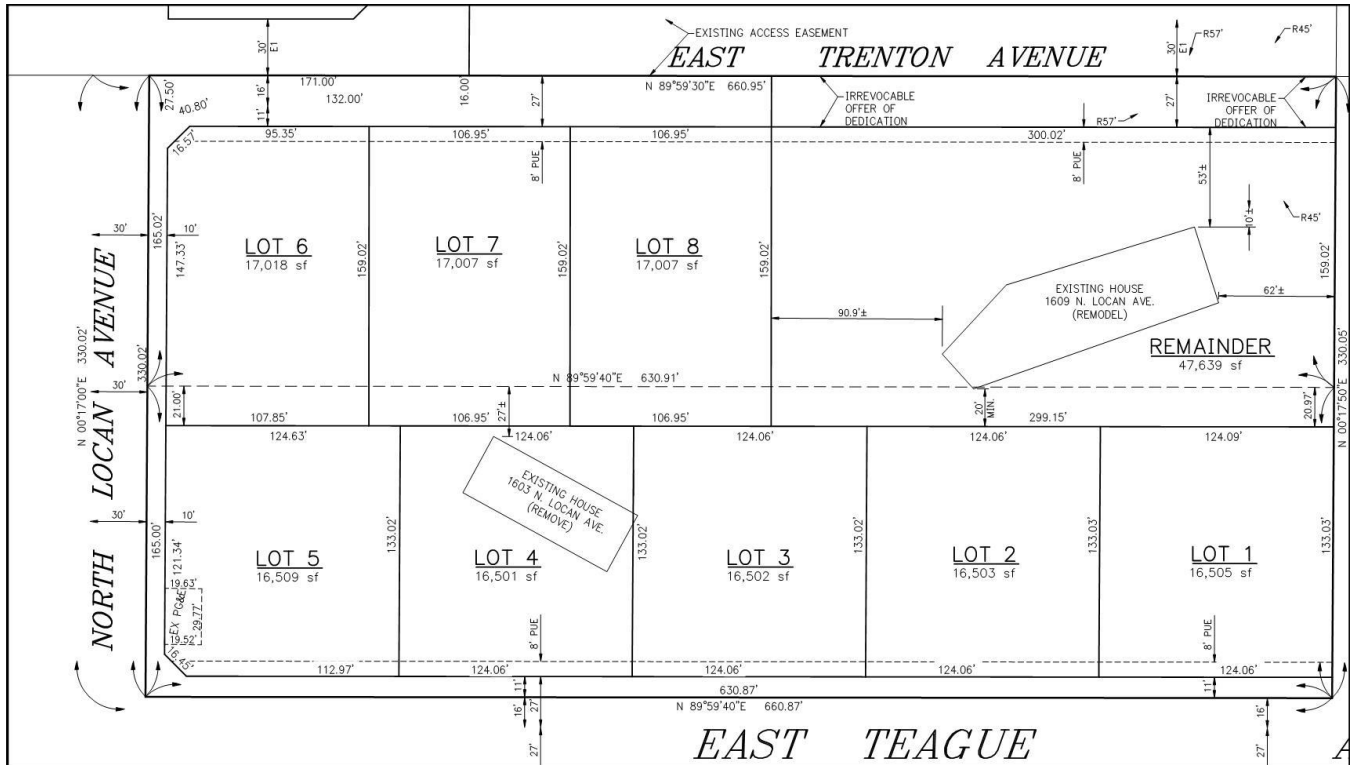
**PROPOSAL AND ANALYSIS**

Project Description

The applicant proposes to subdivide the subject properties into eight single-family residential lots with a remainder lot that is comprised of an existing single-family home. The subject parcels are roughly 2.32 and 2.39 acres and have a combined acreage of 4.71 acres. If approved, the Project will develop per the R-1-AH (Very Low Density Single Family residential) Zone District and will utilize setback and lot coverage development standards of the Herndon Shepherd Specific Plan. The remainder lot will have an area of 47,639 square feet.

The Project site is currently designated Very Low Density Residential (0.6-2.0 du/ac). There are two existing residences on the Project site; the existing residence on the proposed Lot 4 will be demolished and the residence on the proposed remainder parcel will be retained and remodeled.

FIGURE 2  
PROPOSED TRACT MAP



Herndon Shepherd Specific Plan

The Herndon Shepherd Specific Plan provides land use, circulation, open space and utility plans for the approximately 5,800 acre plan area. It serves as a policy document intended to guide development in the plan area. The Project area is classified under the large-lot/estate residential land use element of the specific plan, which allows for a 12,000 square foot lot minimum, or 2.2 dwelling units per acre (2.2 DU/AC). Lots will range from 12,000 to 30,000 square feet with an average lot size of 16,000 square feet being required.

The proposed project meets the minimum density requirements of the Herndon Shepherd Specific Plan of 2.2 dwelling units per acre for this area. It also meets the minimum lot size and the average lot size requirements of the specific plan.

Development Standards

Development standards are according to the Specific Plan as well as the Zone District. The configuration and lot design of the tract map are designed per the requirements of the Herndon Shepherd Specific Plan. The R-1-AH Zone District lists specific development standards that the project must adhere to. Requirements are listed in the table below:

**Table 1  
R-1-AH DEVELOPMENT STANDARDS**

<b>Development Features</b>	<b>R-1-AH</b>
Front Setback	35 feet
Side Setback	10 feet
Street Side Setback	25 feet
Reversed Corner Setback	25 feet
Rear Setback	20 feet
Maximum Parcel Coverage	30%

Minor Deviation

Property development standards of the R-1-AH Zone District require a minimum lot area of 18,000 square feet and lot dimensions of 110 feet in width and 130 feet in depth. Due to the physical constraints of the infill site, the applicant submitted and received staff approval to deviate from the lot width and depth requirements in order to move forward with the Project. Minor Deviation MD2019-013 was approved by the Planning Division on August 9, 2019, to allow for a minimum lot width of 106.95 feet and a minimum lot area of 16,501 square feet, which is still consistent with the Herndon Shepherd Specific Plan development requirements.

Circulation

Access to the project will be provided from Locan Avenue. Trenton Avenue will provide access to the proposed parcels on the north and Teague Avenue will provide access to the proposed parcels on the south. This area of Locan Avenue is considered a local street with a roadway at 40-feet in width and a total right-of-way of 60-feet and 65-feet for new development. The developer shall provide a sidewalk and landscaping pattern along Locan Avenue that is consistent with surrounding developments. This includes a 10-foot landscaping strip along the face of curb, a minimum 5-foot sidewalk, and another 5 feet of landscaping strip.

Future development of Lots 5 and 6 will be subject to the typical setback requirements of the R-1-AH Zone District and orientation of any proposed residential structures will determine access points to the subject lots; however, this area does allow for homes facing Locan Avenue to have direct access onto the street.

Surrounding Land Uses

The project site is located in the large-lot residential area of the Herndon Shepherd Specific Plan that is bounded by Temperance Avenue on the west, Shepherd Avenue on the north, DeWolf Avenue to the east and State Route 168 to the south. The area contains several existing estate-size residential developments characterized by approximately 2 acre parcels. Among the developments are numerous vacant and underdeveloped parcels. Over the years, several General Plan Amendments and development entitlements approved and modified the land use designation for properties within the area from Very Low Density Residential and large-lot single-family residential to Low or Medium Density Residential as reflected in the properties to the north, south, and west of the subject property.

The project will meet the density requirements of the Herndon Shepherd Specific Plan as well as the designated zoning standards with a density of 2.16 dwelling units per acre and an average lot size of 16,694 square feet.

### Public Comments

A public notice was sent to area residents within 600 feet of the property boundaries. Staff has not received any inquiries prior to finalization of the staff report.

### Review and Comments of 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, 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

The Community Facilities Districts (CFD's) are a means of providing additional funding for the provision of public facilities and services for public safety, parks, and recreation services, and other important municipal services 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. A condition of approval for the tract map is the required participation into the CFD.

### Consistency with the General Plan Goals and Policies

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

Goal 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 6.2 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 has determined that this Project is exempt from CEQA pursuant to Public Resources Code Section 15061(b)(3) which provides that CEQA applies only to projects that have the potential for causing a significant effect on the environment. A Notice of Exemption has been completed during the preliminary review and is kept for public review with the project file during the processing of the project application. Staff will file the notice with the County Clerk if the project is approved.

The City published notice of this public hearing in The Business Journal on Wednesday, August 7, 2019.

### **REASON FOR RECOMMENDATION**

The proposed Tentative Tract Map 6277 is consistent with the goals and policies of the General Plan, Herndon Shepherd Specific Plan, and Development Code. Staff therefore recommends that the Planning Commission approve TM6277, subject to the conditions of approval attached as Attachment 1.

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**

None.

**FISCAL IMPACT**

None.

**NOTICE OF HEARING**

Property owners within 600 feet notified:	75
Interested individuals notified:	10

Prepared by: Lily Cha, Assistant Planner

Reviewed by:

\_\_\_\_\_  
Orlando Ramirez  
Deputy City Planner



**ATTACHMENT 1**  
**Conditions of Approval – TM6277**

**Planning Division Comments**  
**(Lily Cha, Assistant Planner – 559-324-2335)**

1. This Project is subject to the development standards of the Clovis General Plan, Herndon-Shepherd Specific Plan, and the Clovis Development Code.
2. This tentative map is approved per “Attachment 4” of the corresponding staff report.
3. The development shall utilize the development standards of the R-1-AH Zone District.
4. Garages shall be a minimum of 20’x22’ (interior clear dimension).
5. The applicant shall relay all Conditions of Approval for this Tentative Tract Map (TM6277) to all subsequent purchasers of individual lots if applicable and/or to subsequent purchasers of the entire tract map development.
6. The applicant shall enter into a Covenant Agreement regarding a “right to farm.” Such agreement shall be disclosed to all future home buyers.
7. All transformers shall be located underground. Pad mounted transformers may be considered through an Administrative Use Permit.
8. All landscaping (open space and private yards) shall conform to the City of Clovis Water Efficient Landscape Ordinance.
9. Prior to any removal of existing trees on the Project site, a tree removal permit shall be required in compliance with the City of Clovis Tree Protection Standards section of the Clovis Municipal Code (Chapter 9.30).
10. 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.
11. 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.
12. 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.
13. The developer shall provide a landscape plan during plan review indicating the tree and ground materials for public areas.

14. The property covered by the project shall be annexed to a Community Facilities District (CFD), established by the City for the provision of public facilities and services prior to filing for a final map.

**ENGINEERING / UTILITIES / SOLID WASTE DIVISION CONDITIONS**

(Sean Smith, Engineering Division Representative – 324-2363)

(Paul Armendariz, Department Representative – 324-2649)

**Maps and Plans**

15. The conditions of this tract map are written under the assumption that all dedications and improvements have been completed by the adjacent TM 6190 development, and that these dedications and improvements have been accepted by the City. Additional conditions shall be required at the discretion of the City Engineer, if the improvements and dedications by TM 6190 have not been accepted by the City.
16. 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.
17. The applicant shall submit separately 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 and a current preliminary title report. These plans shall be prepared by a registered civil engineer, and shall include a grading plan, landscape plan, a site plan showing trash enclosure locations and an overall site utility plan showing locations and sizes of sewer, water, storm drain, and irrigation mains, laterals, manholes, meters, valves, hydrants, fire sprinkler services, other facilities, etc. Plan check and inspection fees per City of Clovis Resolution No. 18-61 shall be paid with the first submittal of said plans. All plans shall be submitted at or before the time the building plans are submitted to the Building Division and shall be approved by the City and all other involved agencies prior to the release of any development permits.
18. 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).
19. 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 (1) digital copy to the City in PDF format 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, and prior to granting of final occupancy or final acceptance, the applicant shall provide (1) digital copy to the City in PDF format.

## **General Provisions**

20. The 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.
21. The applicant is advised that, pursuant to California Government Code, Section 66020, any party may protest the imposition of fees, dedications, reservations, or other exactions imposed on a development project by a local agency. Protests shall be filed in accordance with the provisions of the California Government Code and shall be filed within 90 days after conditional approval of this application is granted. The 90 day protest period for this project shall begin on the "date of approval" as indicated on the "Acknowledgment of Acceptance of Conditions" form.
22. All reimbursement requests shall be prepared and submitted in accordance with the requirements of the current version of the "Developer Reimbursement Procedures" a copy of which may be obtained at the City Engineer's Office.
23. 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.
24. 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.
25. 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.
26. The applicant shall provide and pay for all geotechnical services per City policy.
27. The applicant shall comply with 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.
28. 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.

29. 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.
30. The applicant shall contact and address Caltrans requirements. The applicant will be required to mitigate impacts to State Highway facilities as determined by the City Engineer.

### **Dedications and Street Improvements**

31. 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.
- a. Locan Avenue – Along frontage, provide right-of-way acquisition for 40' (exist 30') east of centerline, and improve with curb, gutter, sidewalk, curb return ramps, street lights, landscaping and irrigation, permanent paving and overlay as necessary to match the existing permanent pavement.
  - b. Trenton Avenue – Along frontage to the eastern limit of Lot 8, provide right-of-way acquisition for 27' (exist varies) south of centerline, and improve on the south side of the street with curb, gutter, sidewalk, drive approaches, curb return ramps, street lights, permanent paving, and transitional paving as needed.
  - c. Trenton Avenue – For orderly development, along frontage to the eastern limit of Lot 8, improve the north side of the street with curb, gutter, sidewalk, curb return ramps, street lights, landscaping and irrigation, permanent paving, and transitional paving as needed.
  - d. Teague Avenue – Along frontage, provide right-of-way acquisition for 27' (exist 16') north centerline, and improve with curb, gutter, sidewalk, drive approaches, curb return ramps, street lights, permanent paving and overlay as necessary to match the existing permanent pavement.
  - e. Temporary Turnabouts – Dedicate to provide for a 48' radius and install 45' of permanent/temporary paving plus 3' paved swale on the east end of Trenton Avenue.

31. The applicant shall provide a dedication for a 10' public utility easement, where applicable, along all frontages or alternate widths approved by the utilities companies.
32. The sideyard side of all corner lots shall have full width sidewalk except where planter strips or meandering sidewalk is proposed.
33. 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.

### **Sewer**

34. The applicant shall identify and abandon all septic systems to City standards.
35. 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 shall be supported by appropriate calculations.
  - a. Trenton Avenue – install 8" main along frontage.
36. The applicant shall install one (1) 4" sewer service house branch to each lot within the tentative tract.
37. All existing sewer services that will not be used with this development shall be abandoned by cutting and capping the service at the right-of-way line.
38. The applicant shall notify all property owners annexed to the City and along streets where a new sewer main will be constructed to determine if they wish to be connected to City sewer. Property owners shall work directly with the applicant regarding costs and location. The applicant shall notify property owners that sewer connection fees are required if they choose to connect.

### **Water**

39. The applicant shall identify and abandon all water wells to City standards.
40. 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 shall be supported by appropriate calculations.

a. Trenton Avenue – install 8" main along frontage.

41. 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. The water meter shall be placed in the sidewalk and not in planters or driveways.
42. All existing water services that will not be used with this development shall be abandoned by closing the service's corporation stop and creating a physical separation between the corporation stop and the service.
43. The applicant shall notify all property owners' annexed to the City and along streets where a new water main will be constructed to determine if they wish to be connected to City water. Property owners shall work directly with the applicant regarding costs and location. The applicant shall notify property owners that water connection fees are required if they choose to connect.
44. 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**

45. 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.
  - a. Locan Avenue – install mains as necessary to serve the frontage.

#### **Grading and Drainage**

46. 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.

47. 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**

48. 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 strip along Locan and Trenton Avenues.
49. The applicant shall connect the required Locan Avenue landscape irrigation system to the existing landscape irrigation systems installed by Tracts 6128 and 6190 to create one complete system using recycled water. The applicant shall also abandon the temporary water service, electrical service and controller installed by Tract 6190.
50. All park and landscape improvements shall be installed, accepted for maintenance by the City prior to issuance of 40% of the Tract's building permits. If the park improvements are not constructed on the Outlot for any reason within two (2) years of the recordation of the final map of Tract, City shall have the right to request from surety and receive upon City's demand, sufficient funding to complete the construction of improvements for the park. The two year period may be extended at City's sole option and discretion and upon such conditions as City shall determine.
51. 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 shall 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 \$234.81, 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 additional landscaping enhancements that exceed the City norms and are specific benefit to the property, such as the entry feature, columns, monuments, interior median islands, roundabouts, special street lights, etc, if determined to be maintained by the Landscape Maintenance District, shall be maintained by an additional landscape maintenance assessment. The applicant shall provide construction costs and deposit with the City an amount equal to 50% of the value of the enhanced landscaping hardscape features, or an alternate amount approved by the City Engineer, such as columns, monuments, and special street lights, that exceeds the City norms. The applicant shall provide the City with an estimate of the annual maintenance for the special lighting and landscaping enhancements that exceeds the City norms. 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.

52. The applicant shall comply with the City of Clovis Water Efficient Landscape Requirements Ordinance.
53. 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, relocation, and/or piping). The applicant shall consult with the Fresno 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.**
54. 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 shall be submitted to and approved by the City of Clovis City Engineer prior to final map approval.

### **Miscellaneous**

55. The applicant shall install street lights along the major streets 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 at future traffic signal locations shall be installed on approved traffic signal poles, including all conduits and pull boxes. Street lights along the major streets shall be owned and maintained by local utility providers. Proof of local utility provider’s approval shall be provided. The applicant may install thematic lighting, as approved by the City Engineer. If the applicant chooses to install thematic lighting, the applicant shall provide a conceptual lighting plan identifying adjacent properties that may be incorporated with thematic lights to create a neighborhood effect. Thematic lighting shall be maintained by an additional landscape maintenance assessment.

56. 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/the 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.

57. A deferment, modification, or waiver of any engineering conditions will require the express written approval of the City Engineer.

58. The conditions given herein are for the entire development. Additional requirements for individual phases may be necessary pending review by the City Engineer.

**COUNTY OF FRESNO HEALTH DEPARTMENT**

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

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

**FRENO METROPOLITAN FLOOD CONTROL DISTRICT**

(Mikel Meneses, FMFCD Representative – 456-3292)

60. The Applicant shall refer to the attached FMFCD correspondence. If the list is not attached, please contact the district for the list of requirements.

**DRAFT  
RESOLUTION 19-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS  
APPROVING A TENTATIVE TRACT MAP FOR AN 8-LOT SINGLE-FAMILY RESIDENTIAL  
SUBDIVISION ON 4.71 ACRES OF PROPERTY LOCATED AT THE NORTHEAST CORNER  
OF LOCAN AND TEAGUE AVENUES. THE PROJECT IS EXEMPT FROM CEQA  
PURSUANT TO PUBLIC RESOURCES CODE SECTION 15061(B)(3).**

**WHEREAS**, David D. Shepard Construction, Inc., 2652 Filbert Avenue, Clovis, CA 93611, has applied for a Tentative Tract Map TM6277; and

**WHEREAS**, Tentative Tract Map TM6277, was filed on June 21, 2019, 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 600 feet of said property boundaries ten days prior to said hearing; and

**WHEREAS**, a duly noticed hearing was held on August 22, 2019 and

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

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.

**WHEREAS**, the Planning Commission has given careful consideration to this map on August 22, 2019, and does find the project exempt from CEQA pursuant to Public Resources Code Section 15061(b)(3).

**NOW, THEREFORE, BE IT RESOLVED** that Tentative Tract Map TM6277, attached and labeled "Attachment 4," be and is hereby approved, subject to the attached conditions labeled "Attachment 1."

\* \* \* \* \*

The foregoing resolution was approved by the Clovis Planning Commission at its regular meeting on August 22, 2019, upon a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and passed by the following vote, to wit:

AYES:  
 NOES:  
 ABSENT:  
 ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 19-XX  
 DATED: August 22, 2019

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

ATTEST: \_\_\_\_\_  
 Dwight Kroll, AICP, Secretary

**CORRESPONDENCE FROM COMMENTING  
AGENCIES**



# County of Fresno

## DEPARTMENT OF PUBLIC HEALTH

David Pomaville, Director  
Dr. Sara Goldgraben, Health Officer

August 29, 2018

LU0019621  
2604

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

Dear Ms. Thongsavath:

PROJECT NUMBER: **DRC2018-52**

**DRC2018-52**; Proposal for a tentative tract map for a 22-unit single-family residential subdivision development and rezone from R-1-AH to R-1- PRD zone district.

**APN: 558-020-14, -15      ZONING: R-1-PRD      ADDRESS: NEC Locan & Teague Avenues**

Recommended Conditions of Approval:

- Construction permits for development should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.
- Construction permits for the development should be subject to assurance that the City of Clovis community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Water Resources Control Board, Division of Drinking Water-Southern Branch. For more information call (559) 447-3300.
- The proposed construction project and proximity to an existing thoroughfare has the potential to expose nearby residents and tenants to elevated noise levels. Consideration should be given to your City's municipal code.
- As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.

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

***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

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- Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.

The following comments pertain to the demolition of existing structures:

- Should the structures have an active rodent or insect infestation, the infestation should be abated prior to demolition of the structures in order to prevent the spread of vectors to adjacent properties.
- In the process of demolishing the existing structures, the contractor may encounter asbestos containing construction materials and materials coated with lead based paints.
- If asbestos containing materials are encountered, contact the San Joaquin Valley Air Pollution Control District at (559) 230-6000 for more information.
- If the structures were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition and/or remodel work the contractor should contact the following agencies for current regulations and requirements:
  - California Department of Public Health, Childhood Lead Poisoning Prevention Branch, at (510) 620-5600.
  - United States Environmental Protection Agency, Region 9, at (415) 947-8000.
  - State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) at (559) 454-5302.
- Any construction materials deemed hazardous as identified in the demolition process must be characterized and disposed of in accordance with current federal, state, and local requirements.

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REVIEWED BY:

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

(559) 600-33271

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KT

cc: Steven Rhodes- Environmental Health Division (CT. 55.18)  
Mark Greenwood- Applicant ([markrwg@pacbell.net](mailto:markrwg@pacbell.net))

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

**PUBLIC AGENCY**

COURTNEY THONGSAVATH  
PLANNING AND DEVELOPMENT SERVICES  
CITY OF CLOVIS  
1033 FIFTH STREET  
CLOVIS, CA 93612

**DEVELOPER**

TARLTON FRESNO, LLC  
3562 S. ELM AVE.  
FRESNO, CA 93706

PROJECT NO: 6277  
ADDRESS: NEC TEAGUE AND LOCAN AVE.  
APN: 558-020-14, 558-020-79

SENT: 8/9/19

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)
BX	\$32,344.00	NOR Review	\$215.00 To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$600.00 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).
<b>Total Drainage Fee: \$32,344.00</b>		<b>Total Service Charge: \$815.00</b>	

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 2/29/20 based on the site plan submitted to the District on 7/01/19 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

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

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

CL TRACT No. 6277



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

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

- 1.     \_\_\_ a. Drainage from the site shall
- 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 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 MASTER PLAN FACILITIES TO BE CONSTRUCTED BY DEVELOPER.
  - \_\_\_     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:
  - \_\_\_ 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).
  - X 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.

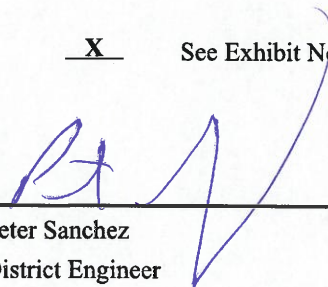
CL TRACT No. 6277

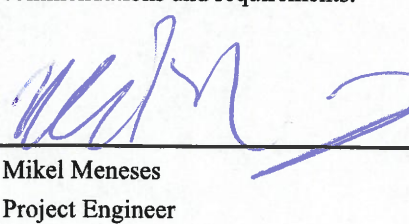


FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

CL TRACT No. 6277

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

  
 \_\_\_\_\_  
 Peter Sanchez  
 District Engineer

  
 \_\_\_\_\_  
 Mikel Meneses  
 Project Engineer

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT  
NOTICE OF REQUIREMENTS

Page 4 of 5

CC:

DAVID D. SHEPARD CONSTRUCTION, INC.

2652 FILBERT AVE.

CLOVIS, CA 93611

RW GREENWOOD ASSOCIATES, INC.

2558 E. OLIVE AVE.

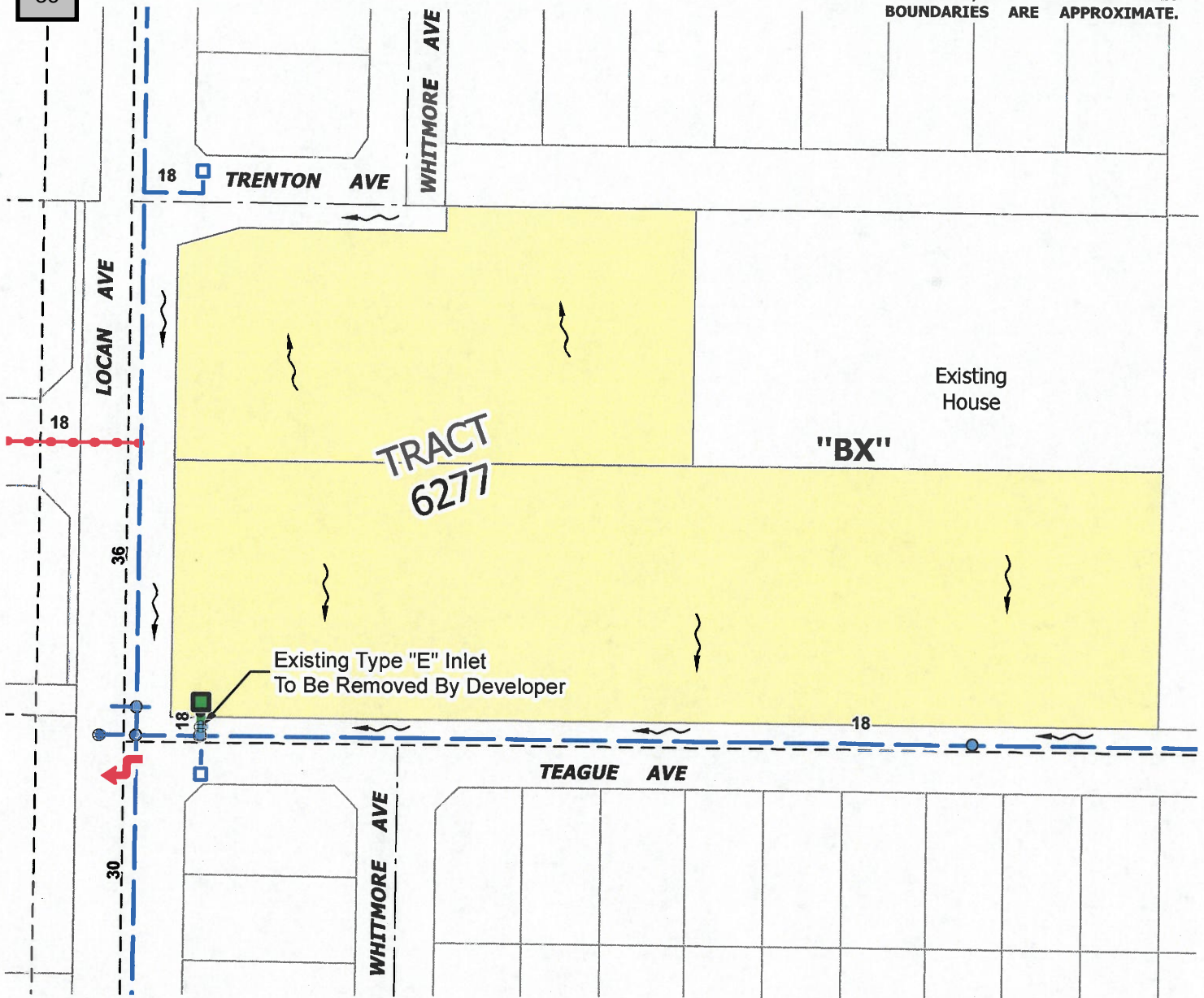
FRESNO, CA 93701

CL TRACT No. 6277












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



### LEGEND

-  Creditable Facilities (Master Plan Facilities To Be Constructed By Developer) - Inlet & Lateral
-  Existing Master Plan Facilities
-  Existing Temporary Inlet
-  Future Non-Master Plan Facilities
-  Inlet Boundary
-  Direction Of Drainage
-  Major Storm Breakover



1" = 100'

**TRACT 6277**  
**DRAINAGE AREA "BX"**



**EXHIBIT NO. 1**  
**FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**



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

The cost of construction of Master Plan facilities, excluding dedication of storm drainage easements, is eligible for credit against the drainage fee of the drainage area served by the facilities. A Development Agreement shall be executed with the District to effect such credit. Reimbursement provisions, in accordance with the Drainage Fee Ordinance, will be included to the extent that developer's Master Plan costs for an individual drainage area exceed the fee of said area. Should the facilities cost for such individual area total less than the fee of said area, the difference shall be paid upon demand to the City/County or District.

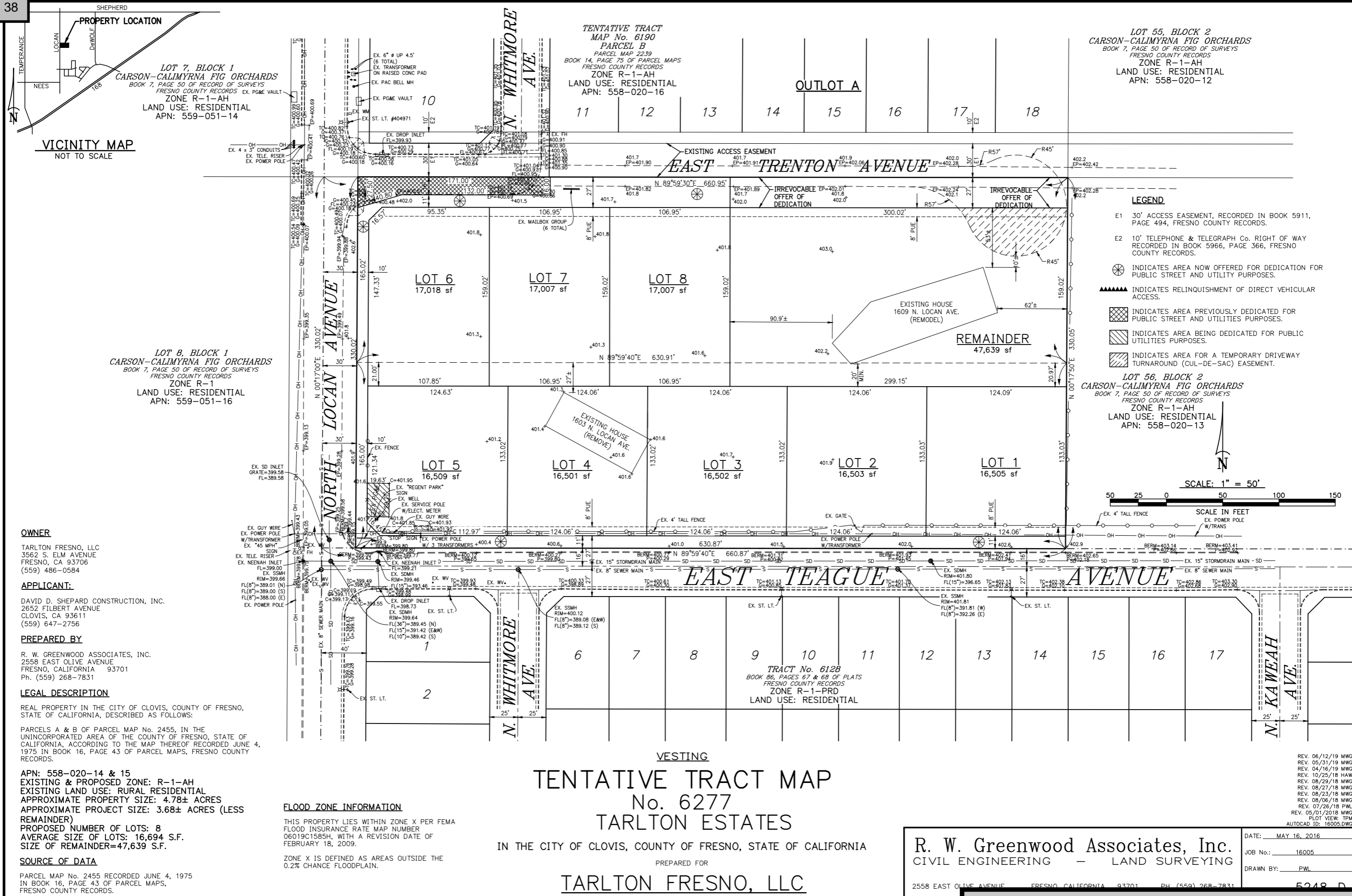
Tract 6277 shall not block the historical drainage patterns of the existing house to the east of Tract 6277 as shown on Exhibit No. 1. The developer shall verify to the satisfaction of the District that runoff from the existing home has the ability to surface drain to the adjacent street and/or provide improvements to allow runoff to reach the adjacent street.

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. 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.

Basin "BX" was designed with capacity for runoff from low to very low density residential. Because of the higher density proposed by developers for urbanization of the drainage area, the basin must have additional capacity to control the excess runoff. To provide for the capacity increase without a direct charge to developers, the expanded excavation cost was not included in the drainage fee structure. Instead, each developer is required to excavate and export 1,000 c.y. of material for each residential acre of development. The District has an ongoing program to issue permits to remove material from the basin. This may result in an opportunity to reduce the obligation for Basin "BX" excavation. It may also be feasible to defer this obligation if the developer can provide guarantees for future removal, subject to adequate assurances to the District. If and when the District can reduce the excavation obligation, the District will notify the developer of the lesser excavation obligation.

Development No. Tract 6277



TENTATIVE TRACT  
MAP No. 6190  
PARCEL B  
PARCEL MAP 2239  
BOOK 14, PAGE 75 OF PARCEL MAPS  
FRESNO COUNTY RECORDS  
ZONE R-1-AH  
LAND USE: RESIDENTIAL  
APN: 558-020-16

LOT 55, BLOCK 2  
CARSON-CALIMYRNA FIG ORCHARDS  
BOOK 7, PAGE 50 OF RECORD OF SURVEYS  
FRESNO COUNTY RECORDS  
ZONE R-1-AH  
LAND USE: RESIDENTIAL  
APN: 558-020-12

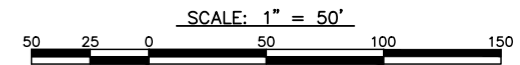
LOT 7, BLOCK 1  
CARSON-CALIMYRNA FIG ORCHARDS  
BOOK 7, PAGE 50 OF RECORD OF SURVEYS  
FRESNO COUNTY RECORDS  
EX. PG&E VAULT  
ZONE R-1-AH  
LAND USE: RESIDENTIAL  
APN: 559-051-14

LOT 8, BLOCK 1  
CARSON-CALIMYRNA FIG ORCHARDS  
BOOK 7, PAGE 50 OF RECORD OF SURVEYS  
FRESNO COUNTY RECORDS  
ZONE R-1  
LAND USE: RESIDENTIAL  
APN: 559-051-16

LOT 56, BLOCK 2  
CARSON-CALIMYRNA FIG ORCHARDS  
BOOK 7, PAGE 50 OF RECORD OF SURVEYS  
FRESNO COUNTY RECORDS  
ZONE R-1-AH  
LAND USE: RESIDENTIAL  
APN: 558-020-13

**LEGEND**

- E1 30' ACCESS EASEMENT, RECORDED IN BOOK 5911, PAGE 494, FRESNO COUNTY RECORDS.
- E2 10' TELEPHONE & TELEGRAPH Co. RIGHT OF WAY RECORDED IN BOOK 5966, PAGE 366, FRESNO COUNTY RECORDS.
- ⊗ INDICATES AREA NOW OFFERED FOR DEDICATION FOR PUBLIC STREET AND UTILITY PURPOSES.
- ▴▴▴▴ INDICATES RELINQUISHMENT OF DIRECT VEHICULAR ACCESS.
- ▨▨▨▨ INDICATES AREA PREVIOUSLY DEDICATED FOR PUBLIC STREET AND UTILITIES PURPOSES.
- ▧▧▧▧ INDICATES AREA BEING DEDICATED FOR PUBLIC UTILITIES PURPOSES.
- ▩▩▩▩ INDICATES AREA FOR A TEMPORARY DRIVEWAY TURNAROUND (CUL-DE-SAC) EASEMENT.



**OWNER**  
TARLTON FRESNO, LLC  
3562 S. ELM AVENUE  
FRESNO, CA 93706  
(559) 486-0584

**APPLICANT:**  
DAVID D. SHEPARD CONSTRUCTION, INC.  
2652 FILBERT AVENUE  
CLOVIS, CA 93701  
(559) 647-2756

**PREPARED BY**  
R. W. GREENWOOD ASSOCIATES, INC.  
2558 EAST OLIVE AVENUE  
FRESNO, CALIFORNIA 93701  
Ph. (559) 268-7831

**LEGAL DESCRIPTION**  
REAL PROPERTY IN THE CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:  
PARCELS A & B OF PARCEL MAP No. 2455, IN THE UNINCORPORATED AREA OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED JUNE 4, 1975 IN BOOK 16, PAGE 43 OF PARCEL MAPS, FRESNO COUNTY RECORDS.  
APN: 558-020-14 & 15  
EXISTING & PROPOSED ZONE: R-1-AH  
EXISTING LAND USE: RURAL RESIDENTIAL  
APPROXIMATE PROPERTY SIZE: 4.78± ACRES  
APPROXIMATE PROJECT SIZE: 3.68± ACRES (LESS REMAINDER)  
PROPOSED NUMBER OF LOTS: 8  
AVERAGE SIZE OF LOTS: 16,694 S.F.  
SIZE OF REMAINDER=47,639 S.F.

**FLOOD ZONE INFORMATION**

THIS PROPERTY LIES WITHIN ZONE X PER FEMA FLOOD INSURANCE RATE MAP NUMBER 06019C1585H, WITH A REVISION DATE OF FEBRUARY 18, 2009.  
ZONE X IS DEFINED AS AREAS OUTSIDE THE 0.2% CHANCE FLOODPLAIN.

VESTING  
**TENTATIVE TRACT MAP**  
No. 6277  
**TARLTON ESTATES**  
IN THE CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA  
PREPARED FOR  
**TARLTON FRESNO, LLC**

**R. W. Greenwood Associates, Inc.**  
CIVIL ENGINEERING — LAND SURVEYING  
2558 EAST OLIVE AVENUE FRESNO, CALIFORNIA 93701 PH (559) 268-7831

DATE: MAY 16, 2016  
JOB No.: 16005  
DRAWN BY: PWL  
5248 D

REV. 06/12/19 MWG  
REV. 05/31/19 MWG  
REV. 04/16/19 MWG  
REV. 10/25/18 HAW  
REV. 08/29/18 MWG  
REV. 08/27/18 MWG  
REV. 08/23/18 MWG  
REV. 05/06/18 MWG  
REV. 07/26/18 PWL  
REV. 05/01/2018 MWG  
PLOT VIEW: TFM  
AUTOCAD ID: 16005.DWG

**TM6277, ATTACHMENT 4**