



CITY of CLOVIS

AGENDA • PLANNING COMMISSION

Thursday, February 28, 2019

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

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.

ABOUT THE MEETING

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

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

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

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

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

* * * * *

CALL TO ORDER

FLAG SALUTE

ROLL CALL

APPROVAL OF MINUTES

- 1. Minutes from the January 24, 2019, Meeting.

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

Staff: George González, MPA, Associate Planner

Recommendation: Approve

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

Staff: Ricky Caperton, AICP, Senior Planner
Recommendation: Approve

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

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

- 5. Consider Approval, Res. 19-____, OA2019-01, A request to amend the Clovis Development Code as a semi-annual cleanup to address typographical, grammatical, and content errors as a result of the 2014 Development Code Update, to make the “Cottage Home Program” available citywide to single-family residential zoning districts where alley access is provided, and to make the necessary modifications to reflect recent changes to State housing law. City of Clovis, applicant.

Staff: Ricky Caperton, AICP, Senior Planner
Recommendation: Approve

NEW BUSINESS

- 6. Agenda and Technology Training

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
January 24, 2019

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

Flag salute led by Commissioner Cunningham

Present: Commissioners Antuna, Bedsted, Cunningham, Chair Pro Tem Hinkle

Absent: Chair Hatcher

Staff: Dwight Kroll, Director of PDS
Bryan Araki, City Planner
Orlando Ramirez, Deputy City Planner
George Gonzalez, Associate Planner
Lily Cha, Assistant Planner
Joyce Roach, Planning Assistant
Sean Smith, Associate Civil Engineer

MINUTES

1. The Commission approved the December 20, 2018, minutes by a vote of 5-0.

COMMISSION SECRETARY

Deputy City Planner Orlando Ramirez introduced new Senior Planner Ricky Caperton.

PLANNING COMMISSION MEMBERS COMMENTS

None

COMMUNICATIONS AND REFERRALS

Items related to Agenda Items X-3, X-4, X-5, X-7 and X-8.

BUSINESS FROM THE FLOOR

None

CONSENT CALENDAR

None

PUBLIC HEARINGS

2. Consider approval, Res. 19-01, **R2018-13**, A request to approve a rezone of approximately 2.75 acres of land located at the northeast corner of N. Clovis and Dakota Avenues from the C-M (Commercial – Light Manufacturing) and R-2 (Low Density Multiple Family Residential – 1 Unit/3,000 Sq. Ft.) Zone Districts to the C-2 (Community

Commercial) Zone District. City of Clovis, Clovis Colony Investors, LLC, owners; Jeay Dakota, LLC applicant.

Associate Planner George Gonzalez presented the staff report.

Chair Pro Tem Hinkle sought and received confirmation that the Planning Commission had previously approved this area for multi-use and high density residential. Associate Planner Gonzalez further explained that the subject site is currently part of the high density residential zoning, and that the apparent intention is to separate this site from that for commercial development, with the remainder intended to retain the current zoning for future multifamily development.

Commissioner Antuna sought elaboration regarding a recommendation from the Fresno Irrigation District versus staff's finding of consistency with the General Plan. Associate Civil Engineer Sean Smith responded that this is a routine response to draw attention and make sure that certain issues were considered during project review.

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

Eric Tienken of 528 W. Athens Avenue provided a brief statement regarding the project.

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 Pro Tem Hinkle sought and received confirmation that there will be a street connecting with the housing projects to the north.

At this point a motion was made by Commissioner Antuna and seconded by Commissioner Bedsted to approve R2018-13. The motion was approved by a vote of 4-0-1.

3. Consider approval Res. 19-02, **CUP2018-05**, A request to approve a conditional use permit to allow for a Starbucks Coffee drive-through use with outdoor seating area for property located at the northwest corner of Santa Ana and Clovis Avenues. Hinds Investments L.P., owner/applicant. IT Architecture, Ian Robertson; representative.

Assistant Planner Lily Cha presented the staff report.

Commissioner Cunningham inquired as to whether the project under discussion this night covers the entire building or only the northern area of the building indicated by hash marks. Assistant Planner Cha responded that the entire building is under consideration, with the hash marks merely indicating the location of the proposed Starbucks, which will not be occupying the entire space.

Chair Pro Tem Hinkle expressed concern regarding the possibility of vehicles travelling from the north continuing to the southernmost drive and blocking traffic. To that end, he inquired as to the possibility of recommending the placement of signs indicating the north entrance as the drive-through entrance, preventing backing-up in the main drive aisle as well as relieving some

of the congestion in it. Assistant Planner Cha responded that this is something that can be required. Deputy City Planner Ramirez further explained that there are municipal code requirements regarding directional signs that can be implemented during the site plan review process.

Commissioner Cunningham sought and received confirmation that the entrance from Santa Ana Avenue indicated on the site plan is the only such entrance for both this site and the overall Costco site, as he recalled approving a single minor entrance-only with the Costco project, in deference to the residential development across the street.

Commissioner Antuna addressed the submitted correspondence by recalling the purpose of this entry's design is to deliberately complicate and therefore discourage exiting onto Santa Ana Avenue. She then inquired as to whether this entrance is specifically designated for Starbucks. Assistant Planner Cha responded that the entrance is for the entire site, as there are reciprocal access agreements in place.

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

Yan Robertson of 1462 N. Van Ness Avenue provided background on the project, expressed agreement with the signage comments, 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.

There being none, the Chair closed the public portion.

At this point a motion was made by Commissioner Bedsted and seconded by Commissioner Antuna to approve CUP2018-05 with an added condition regarding signage. The motion was approved by a vote of 4-0-1.

4. Consider approval Res. 19-03, **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.

Chair Pro Tem Hinkle inquired as to whether the sale of structures resembling mini-houses that had been present on the subject site was part of the permit approval. Planning Assistant Roach responded that it is not, staff having researched this after being made aware of the presence of the sheds Tuesday morning of this week. The applicants had been made aware, and removed the sheds by the end of Wednesday. City Planner Bryan Araki further clarified that staff is currently in contact with the applicants, prompted by the applicant, regarding what uses are permitted or not on their property.

Deputy City Planner Ramirez sought and received confirmation that the Planning Commission members had received and been able to open an email with correspondence from the applicants.

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

Shanna Collotzi of 2788 E. Omaha Avenue provided information on the operation of the events since the initial approval of the conditional use permit and offered to answer questions.

Commissioner Cunningham stated that the reason for the Commission requesting this six-month review was due to the applicants being deficit in several issues, such as placing merchandise on the lot before receiving approval from the City, leading to a testing period. He noted, for the record, that though the applicants have several letters from community groups they served, they had not only failed to clean up their site within seventy-two hours after the pumpkin patch event, but that it was another seven days after and that the City had to make them aware of the requirement, and that there was also an issue with temporary signs. He inquired as to what the applicants can do to convince him and the Commission that City staff will not have to spend time ensuring the rules are being followed.

Ms. Collotzi responded that she had the opportunity to meet with staff to go over what is allowed under the conditional use permit, how communication needs to flow, and what the applicants' responsibilities entail. She expressed confidence in both her understanding and her awareness of her resources to answer questions.

Commissioner Cunningham remarked that, though the structures were removed before he could measure, there is a condition that there must be ten feet from the property line before a structure is placed in the event of future approval of exhibition, and that the sheds appeared to be within this setback. He emphasized that businesses must follow what rules are set out by the City, and that during his tenure on the Planning Commission, this is the only business where the Commission has had to come back to inform an applicant that something is prohibited.

Ms. Collotzi apologized, explaining that the source of the issue was her misunderstanding of what are and are not approved uses for that property.

Commissioner Cunningham sought and received confirmation that Ms. Collotzi understood that, if approved, this project would have another mandatory review before the Planning Commission in one year's time.

Commissioner Antuna expressed her concurrence with Commissioner Cunningham's statements, then added that the applicant had addressed her initial concerns with the project. She remarked that after reading the staff report, it does indeed seem that the issues that have arisen are due to the applicants' lack of understanding, as they claimed. This was followed by an encouragement to meet the conditions, in particular those regarding deadlines, as that is something she will consider during the next review. She concluded with an expression of excitement for future events, as the ones already run were good for Clovis and a great service to the community.

Ms. Collotzi inquired, in regards to meeting or exceeding deadlines, if she can submit required site plans sixty or ninety days ahead of the event, rather than the required thirty days. Planning Assistant Roach responded that such would be fine with staff.

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 Pro Tem Hinkle expressed concern that the applicant has presented a record of noncompliance and he would like for the project to come back before Planning Commission in six months, to ensure that the applicants understand how the City of Clovis operates. He remarked that most applicants ask before doing things, while these applicants seem to do things and assume it's allowed if they don't hear anything against it.

Commissioner Bedsted echoed the concern and remarked that he had come to the same decision regarding a six-month review period in order to make sure the City's expectations are upheld.

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

5. Consider approval Res. 19-04, **CUP2018-15**, A request to approve a conditional use permit for a proposed Government Facility with associated customer service for the property located at 3500 Pelco Way. Cook Land Company, owner/applicant; Arc Tec, representative.

Deputy City Planner Orlando Ramirez presented the staff report.

Commissioner Cunningham inquired as to amount of tax revenue the City would lose with a government entity taking over the subject building. Deputy City Planner Ramirez, unfamiliar with that information, deferred to Community and Economic Development Director Andy Haussler. Director Haussler provided information explaining that there would be no loss of tax revenue for the City.

Commissioner Cunningham followed up with an inquiry as to what, if any, commitment the property owner or applicant has made to maintain a nearby memorial free of trash or graffiti, or if this issue had even been considered yet. Deputy City Planner Ramirez responded that staff had not considered such, and deferred to the applicant as they will be acquiring the memorial site.

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

Jim Fulton of 1731 Technology Drive, San Jose, the project architect made a few brief statements then deferred to Todd Cook for questions.

Todd Cook of 11600 E. Herndon Avenue provided information on their plans regarding the memorial.

Commissioners Cunningham and Bedsted expressed gratitude for Mr. Cook's assurances as to the future of the memorial.

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 Antuna inquired as to how the parking for the site will work, given the numbers involved. Deputy City Planner Ramirez provided a detailed explanation.

Commissioner Cunningham followed up with an inquiry as to what other county entity(ies) is present within this center. City Planner Araki provided some information and deferred to Mr. Cook, who provided detailed information regarding the extent of their company's ownership of the campus.

Commissioner Cunningham then sought and received confirmation that all buildings under that ownership are under reciprocal access agreements.

Chair Pro Tem Hinkle expressed gratitude to the Cook Company and all others involved for what they are attempting to accomplish, providing an opportunity for some Clovis residents to drive to a job within Clovis, and remarked that he sees no problems with the project.

At this point a motion was made by Commissioner Antuna and seconded by Commissioner Cunningham to approve CUP2018-15 with a clarification to the heading. The motion was approved by a vote of 4-0-1.

6. Consider approval Res. 19-05, **R2018-14**, A request to apply development standards to an existing M-U (Mixed Use) Zone District for 28.6 acres of property generally located between Sierra Avenue and Fifth Street along the Veterans Parkway alignment (Planning Area #9) of the Central Clovis Specific Plan.

Director of PDS Dwight Kroll presented the staff report.

Commissioner Bedsted inquired as to whether there will be road infrastructure built back to the library pad, or whether the traffic circle/roundabout will open into parking areas. Director Kroll provided a detailed explanation.

Commissioner Bedsted followed up by seeking and receiving confirmation that the intended traffic flow will allow access all the way through to the DeBenedetto property as well as provide an obstruction-free view corridor to that property. Director Kroll provided a detailed explanation, then stated that the creation of this view corridor will affect the future library as well as landscaping, and that staff will work with the DeBenedetto family on their project.

Commissioner Cunningham followed up by seeking and receiving confirmation that, though the entire area is under consideration, the focus is on only a portion of the area. He then noted for the record that he had attended the January 10th meeting regarding the conceptual rollout of the County Library, noted flexibility in their proposal, and agreed with the need for a view corridor with direct access to the DeBenedetto property.

Commissioner Cunningham sought and received confirmation that this is the current conception for the area. Director Kroll also stated that this conceptual is supported by a traffic study, providing some details on the options examined.

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

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

Kurt Vote of 265 E. River Park Circle, Suite #310, Fresno, on behalf of the DeBenedetto family, stated their opinion that the district development standards being adopted with this project should be included in the resolution for the sake of clarity. He then requested the removal of a restriction that requires a conditional use permit for certain dwelling units, as such would be unfair to their project. Such restrictions should be discussed when the Planning Commission reviews their multifamily project. Mr. Vote then expressed gratitude for staff's efforts to ensure visibility for his clients' property, and informed that a piece of correspondence submitted relates to Item X-7 rather than this one.

Cora Shipley of 830 Third Street expressed concern regarding traffic, as her home is right next to the parking lot of the current Veterans Memorial District Building. She fears Third Street turning into only an entrance/exit for this facility as well as the impact of traffic on homes east of the roundabout. She expressed doubt that a roundabout that seems similar in size to those at Fresno State will fit in the proposed location. To conclude, she expressed her preference for an entrance/exit onto Clovis Avenue, and for Director Kroll to design the architecture of the library building.

At this point, the Chair closed the public portion.

Director Kroll provided some clarifications regarding the resolution and residential unit issues brought up by Mr. Vote. Chair Pro Tem Hinkle sought and received confirmation that the change regarding residential units would also apply to properties to the north.

Commissioner Cunningham explained that he had attended several meetings during which the roundabout had been brought up with concerns expressed regarding it, and that a roundabout was the most sensible of the possible options examined for this site.

Chair Pro Tem Hinkle expressed agreement with Mrs. Shipley regarding the roundabout, but concluded after listening to the report and discussion, as well as previous discussions regarding roundabouts, that it was the best solution for reducing traffic speed and increasing safety.

Commissioner Cunningham remarked that the State is in agreement as the City will be forced to adopt a roundabout in the near future at the intersection of Temperance and Alluvial Avenues.

At this point a motion was made by Commissioner Cunningham and seconded by Commissioner Bedsted to approve R2018-14 with amendments/revisions. The motion was approved by a vote of 4-0-1.

7. Consider approval Res. 19-06, **SPR2018-02**, A request to approve a site plan review for a proposed public facility, including a senior activity center, transit facility, health care clinic, and future pad for Fresno County Library on property located on the north side of Third Street at Veteran's Parkway. City of Clovis, owner/applicant.

City Planner Bryan Araki presented the staff report.

Chair Pro Tem Hinkle remarked that the proposed roundabout appears comparable in size to the one at Woodward Park, coming east off of Blackstone Avenue. City Planner Araki agreed that it might be, elaborating that the most important purpose of the design is to increase pedestrian safety.

Commissioner Antuna informed that she had worked on the Central Clovis Specific Plan and so found it particularly exciting to see this going from a basic concept to an actual design.

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

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

Kurt Vote of 265 E. River Park Circle, Suite #310, Fresno, spoke on behalf of DeBenedetto Properties, prefacing his remarks with a statement that they are strongly in favor of the Landmark Commons project and that the work done so far has been exceptional. However, he and his clients object to the orientation of the site plan and library pad, stating that though the library is not under consideration at this meeting, the site plan includes a very large footprint for it. He believes that this will screen the DeBenedetto property from the roundabout and invalidate the view corridor. He provided background on his client's acquisition of their property, as indicated in the submitted correspondence, then went on to explain how the current site plan appears to violate agreements between his client and the City regarding obstructing their property's visibility.

At this point, the Chair closed the public portion.

Commissioner Antuna inquired as to whether Director Kroll could address Mr. Vote's statements regarding visibility for the DeBenedetto property. Director Kroll responded with a detailed explanation that addressed Mr. Vote's expressed concerns.

Chair Pro Tem Hinkle emphasized that a site plan for the Fresno County Library pad has not yet been submitted, then sought and received confirmation that what is currently before the Commission will memorialize accommodation of a view corridor for the DeBenedetto property when that project is submitted.

Commissioner Cunningham remarked on the existence of two competing interests (Fresno County and the DeBenedetto family) for the Planning Commission and City Council to attempt to balance, and pointed out that not everyone will be happy at the end of the process. He expressed his belief that, despite this, the Commission is taking the correct course of action by memorializing assurances of a site view corridor for the DeBenedetto property while still leaving options reasonably open for the County's future library site plan. He informed that over the course of several meetings, the proposed library footprint has reduced, which provides more flexibility to accommodate all parties' interests, and he looks forward to the process moving forward.

At this point a motion was made by Commissioner Bedsted and seconded by Commissioner Antuna to approve SPR2018-02. The motion was approved by a vote of 4-0-1.

8. Receive and File, A presentation of the Planned Residential Development (PRD) Ordinance discussing its history, implementation, evolution, and project standards. There is no staff report for this presentation. This is a verbal presentation.

Director of PDS Dwight Kroll presented the staff report.

Commissioner Cunningham interjected with an inquiry as to whether one of the projects covered in the report was approved with no sidewalks as an experiment or as the future of the PRD ordinance. Director Kroll responded with the rest of his presentation, as that is part of it.

Chair Pro Tem Hinkle expressed gratitude for providing the Commission with the requested information, which is a good start to helping them make future decisions while still expressing their opinions. Director Kroll responded with an explanation of some of the materials provided.

Commissioner Bedsted expressed gratitude; as the newest commissioner, he found that there had been many precedents with which he was unfamiliar, and this report provided details of those precedents and changes over time.

Commissioner Bedsted followed up with an inquiry as to whether this report had been compiled based on the Commission's request. Director Kroll responded that the City Planner had put it together while also informing the Commission that though it is still a work in progress, it was a desire of staff to articulate and catalogue this information.

City Planner Araki reiterated that this is a work in progress, providing some information on what will be included as it progresses.

Commissioner Bedsted followed up with a statement of his belief that the document will be rounded out by providing information on how the variances created with the use of the ordinance have manifested, particularly in terms of negative effects, as the Commission does not wish to perpetuate bad behavior. On the other hand, they do want to compliment/support those changes with positive effects. He requested an electronic copy of the Excel table, as he sees it as a useful tool for the Commission.

Commissioner Cunningham endorsed Commissioner Bedsted's request and expressed gratitude to Director Kroll, City Planner Araki, and staff for taking the time to put together the report and supporting documents. He views his position of Planning Commissioner as a bridge between development, staff, and the community. Though he has safety firmly in mind when he considers projects (focusing on lack of sidewalks and narrower streets), he tries to keep an open mind, and would be very interested in hearing from the development community on how they have arrived at the PRD Ordinance as the best workable solution for their projects.

Director Kroll brought up the issue of driverless vehicles as a future technological change that will affect our pattern of development and the utility of the PRD ordinance in granting the flexibility to address this and other such changes in the future. Commissioner Cunningham pointed out current collision avoidance technology in vehicles as one such technological change/precedent.

Chair Pro Tem Hinkle inquired as to whether the Planning Commission would be meeting again with the City Council and Planning staff to go over this material and perhaps provide an update. Director Kroll responded that he will be giving a similar presentation to the City Council, with the future joint meeting as a time for discussion.

Chair Pro Tem Hinkle followed up with a reminder that several commissioners intend to attend Planning Academy this year and will be bringing back more information, remarking that often they find that Clovis has been ahead of the curve when it comes to changes. He also expressed his gratitude for the work the City Planner and staff had done so far.

At this point, the Chair opened the floor to those in the public who may wish to comment.

Bill Walls of Lennar Homes of Fresno provided details on a current project of theirs that had need to use the PRD ordinance and why, specifically referencing 'intermixing,' as an example of using it to make a project feasible with the variety of needs affecting the housing market.

Chair Pro Tem Hinkle informed that at Planning Academy last year, there had been discussion regarding 'intermixing,' explaining it and its purpose. He remarked that, from his studies, developers are going to see a change in demand over the next five years. He concluded with an expression of gratitude for the input and appreciation for the use of intermixing to balance out a neighborhood.

Mr. Walls agreed that it does provide balance, explaining how it also provides value. Chair Pro Tem Hinkle expressed agreement, remarking that such allows residents to live in a better community and then uphold higher community standards as a result.

At this point, the Chair closed the public portion.

At this point, the item was received and filed.

There was brief discussion regarding which members of the Commission will be attending the Academy.

Commissioner Antuna expressed gratitude for staff's efforts, praising the usefulness of the spreadsheet and in particular how it will allow her to examine data from before her tenure on the Planning Commission.

City Planner Araki suggested that this may be a good time to start thinking about putting together a field trip for the Planning Commission to visit projects that used the PRD Ordinance, reminding that there had been a similar trip arranged two or three years ago.

Commissioner Antuna expressed agreement with this proposal.

Commissioner Cunningham expressed that such an excursion would be beneficial, reflecting on a tour he and Commissioner Antuna had taken of Wilson products they had taken recently and its usefulness in understanding the developer's perspective on those products. He will appreciate getting the viewpoint of the more neutral perspective of PDS staff.

OLD BUSINESS

None

NEW BUSINESS

None

ADJOURNMENT AT 8:20 P.M. UNTIL the Planning Commission meeting on February 28, 2019.

Paul Hinkle, Chair Pro Tem



CITY of CLOVIS

REPORT TO THE PLANNING COMMISSION

TO: Clovis Planning Commission

FROM: Planning and Development Services

DATE: February 28, 2019

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

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

- ATTACHMENTS:
1. Request for Extension
 2. Location Map
 3. Vesting Tentative Tract Map TM6125

CONFLICT OF INTEREST

None.

RECOMMENDATION

Staff recommends that the Planning Commission approve an extension of Vesting Tentative Tract Map TM6125.

EXECUTIVE SUMMARY

The applicant is requesting the first one-year extension for Vesting Tentative Tract Map TM6125 per the California Subdivision Map Act. The property is located near the northwest corner of Peach and Stuart Avenues. Approval of the extension will allow the applicant to continue working toward development of an approved 27-lot single-family planned residential development.

BACKGROUND

- General Plan Designation: Medium Density Residential (4.1 to 7 DU/AC) & Medium High Residential (7.1 to 15 DU/AC)
- Specific Plan Designation: None
- Existing Zoning: R-1-PRD (Single Family Planned Residential Development)
- Lot Size: 4.41 acres
- Current Land Use: Rural Residential Home & Vacant Land
- Adjacent Land Uses:
 - North: Rural Residential Home & Vacant Land
 - South: Rural Residential
 - East: Single-Family Residential & Church
 - West: Multiple-Family Residential
- Previous Entitlements: R79-33, R91-09, CUP91-05, SPR89-22 & SPR91- 104, TM4293, TM5789, R2015-12, and CUP2015-07

PROPOSAL AND ANALYSIS

Vesting Tentative Tract Map TM6125, is a 27-lot, non-gated single-family planned residential development with public streets and specific development standards. Vesting Tentative Tract Map TM6125 was originally approved by the Planning Commission and City Council on December 17, 2015 and February 1, 2016, respectively. The map was approved concurrently with a rezone and conditional use permit to accommodate a 27-lot planned residential development. As provided for in the Subdivision Map Act, an original approval period is granted for three years, after which the applicant may request up to five extensions in one-year increments. This is the first request.

The applicant is requesting a one-year extension for Vesting Tentative Tract Map TM6125 which would extend the approval to February 1, 2020.

Findings for Approval

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

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

Staff's Response: Since the approval of TM6125, there have been numerous changes to the Development Code, including changes to address modifications, inadvertent omissions, typographical, grammatical, and content errors. However, the changes do not impact the approval of an extension.

2. There have been no changes in the character of the site or its surroundings that affect how the policies of the General Plan, any applicable specific plan, or other standards of this Development Code apply to the project.

Staff's Response: The property has remained unchanged since the original map approval in February of 2016. There have been no changes in the character of the site, which remains mostly vacant with one rural residential home adjacent to Peach Avenue. Additionally, there have been no changes to the properties surrounding Vesting Tentative Tract Map TM6125. Therefore, the policies of the General Plan and Development Code remain effective and applicable to TM6125.

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

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

Project.

California Environmental Quality Act (CEQA)

This Project is exempt from CEQA pursuant to a Class 32 categorical exemption. Class 32 exemptions consist of in-fill development less than 5 acres in size meeting the conditions described in California Government Code Section 15332(a), (b), (c), (d) and (e). 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, February 13, 2019.

REASON FOR RECOMMENDATION

The proposed extension request is consistent with the General Plan Land Use Diagram, Development Code and Subdivision Map Act. Therefore, staff recommends that the Planning Commission approve a one-year extension for TM6125.

ACTIONS FOLLOWING APPROVAL

None.

FISCAL IMPACT

None.

NOTICE OF HEARING

Property owners within 600 feet notified:	51
Interested individuals notified:	10

Prepared by: George González, MPA, Associate Planner



Reviewed by: Bryan Araki
City Planner

Beal Developments LLC

1175 Shaw Ave., #104, PMB 372 Clovis, CA 93612 | (559) 288-0211 | bealdevelopments@aol.com

Jan. 10, 2019

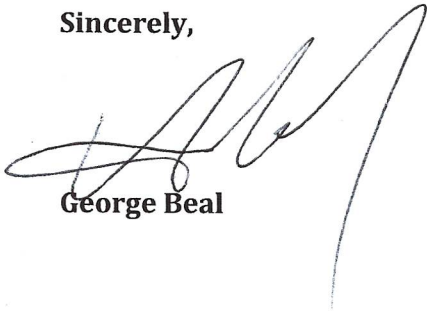
City of Clovis
Planning Staff

RE: Tentative Tract Map TM6125

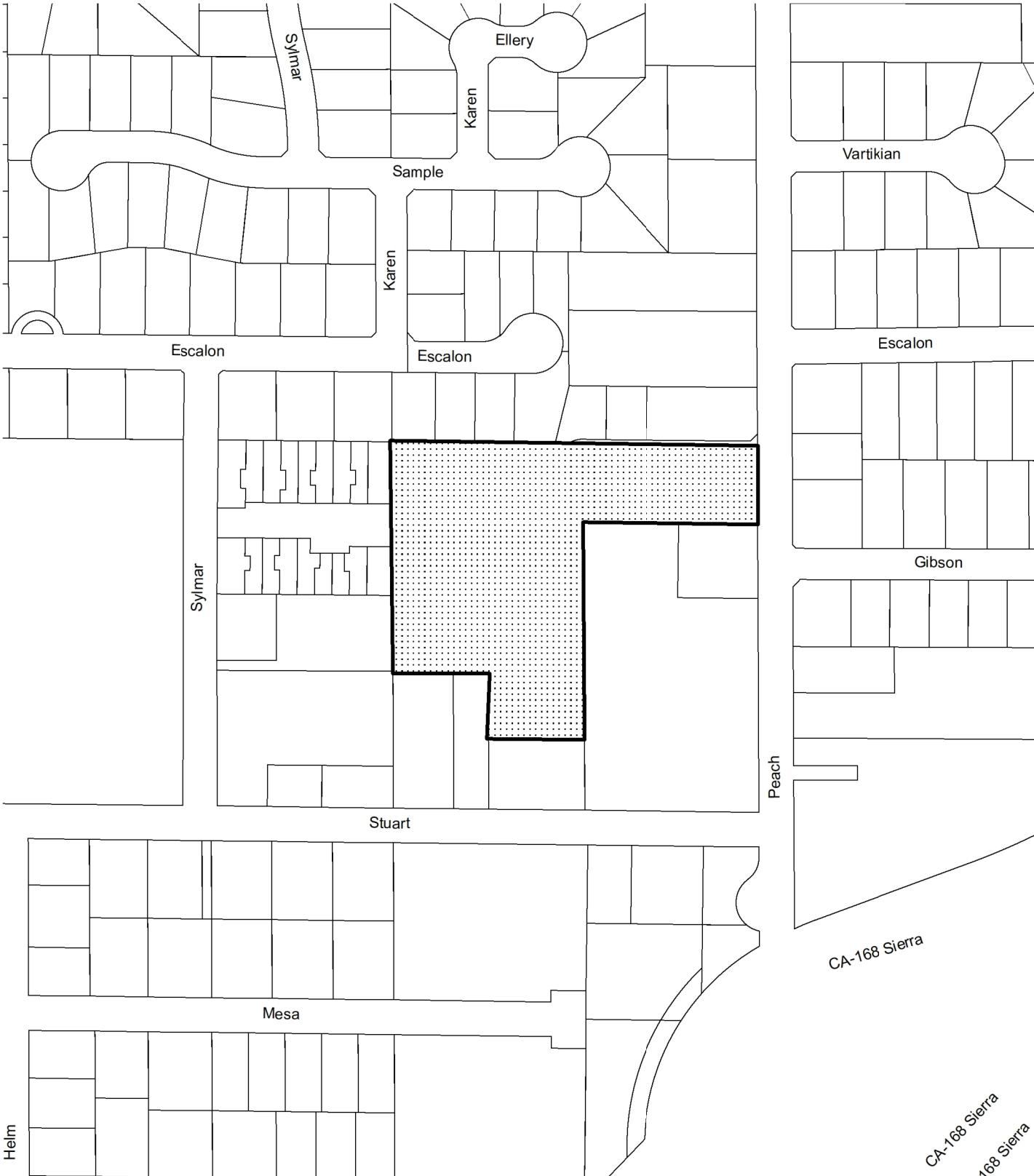
Dear City of Clovis:

I am requesting a one (1) year extension of Tentative Tract Map TM6125 that was approved February 1, 2016 which is valid until February 1, 2019.

Sincerely,

A handwritten signature in black ink, appearing to be 'G. Beal', written over a horizontal line. The signature is fluid and cursive.

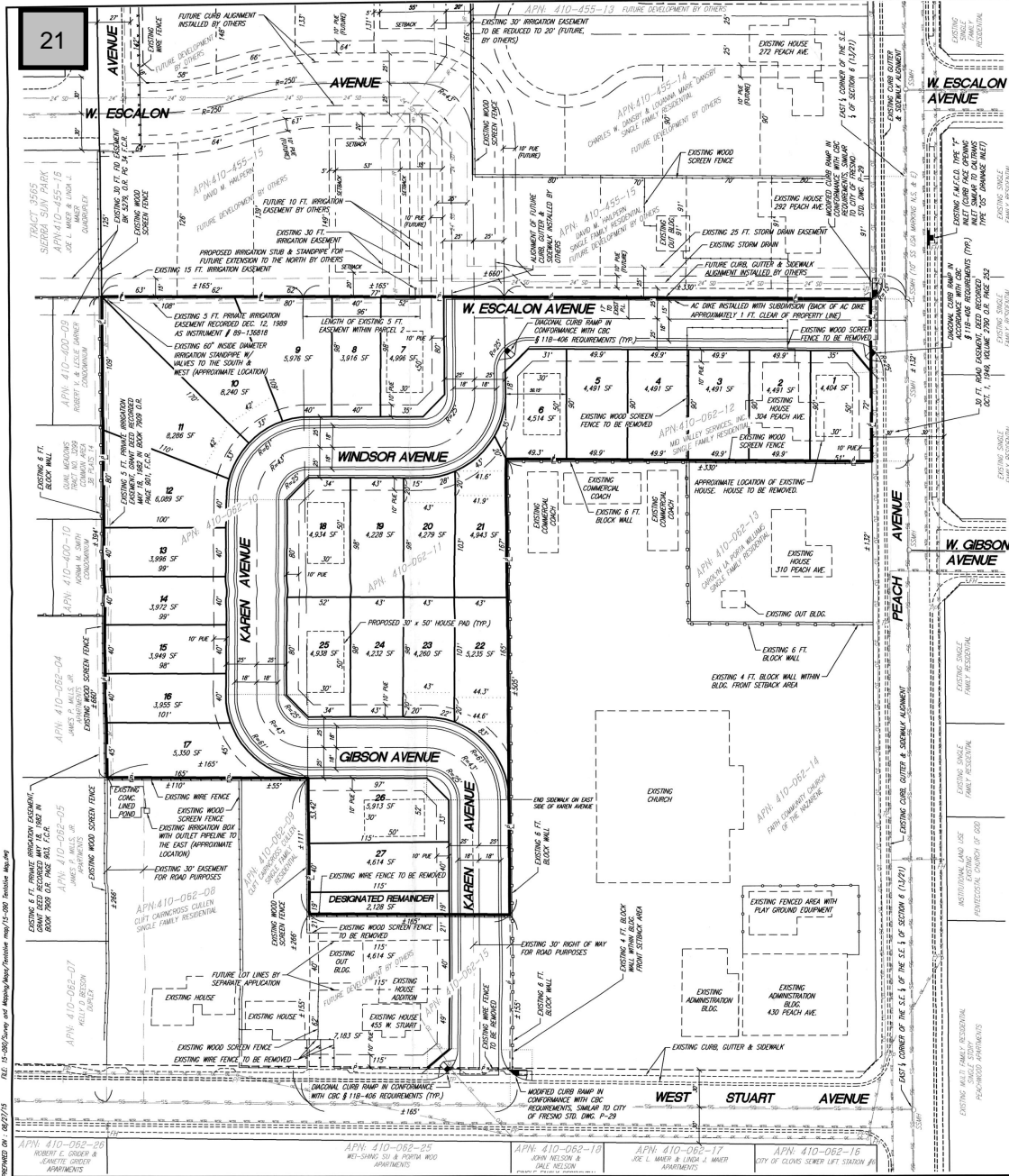
George Beal



TRACT NO. 6125 TENTATIVE MAP FOR "PEACH AND ESCALON SUBDIVISION"

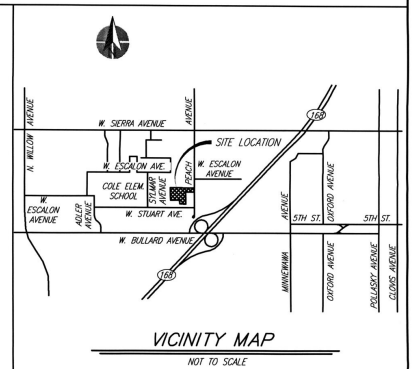
PORTION OF SECTION 6, T. 13 S., R. 21 E., M.D.B. & M.
IN THE CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA
BY CRENSON CIVIL ENGINEERING, INC.
SHEET ONE OF ONE

SCALE: 1" = 60'
0' 30' 60' 120'



LEGEND

AC	ACRE
APN	ASSESSOR'S PARCEL NUMBER
CBC	CALIFORNIA BUILDING CODE (2013 EDITION)
E	EAST
ET AL	AND OTHERS
F.C.R.	FRESNO COUNTY RECORDS
FH	FIRE HYDRANT (EXISTING)
F.I.D.	FRESNO IRRIGATION DISTRICT
F.M.F.C.D.	FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
INC	INCORPORATED
IR	IRRIGATION LINE (EXISTING)
L.L.C.	LIMITED LIABILITY COMPANY
M&M	MOUNT Diablo BASE AND MERIDIAN
M	MINIMUM
MIN	NORTH
N	NORTH
OE	OVERHEAD ELECTRIC LINE (EXISTING) (APPROXIMATE LOCATION)
O.R.	OVERHEAD RECORDS
OT	OVERHEAD TELEPHONE / COMMUNICATION (CABLE TV) (APPROXIMATE LOCATION)
—	PROPERTY LINE
PP	POWER POLE (EXISTING) (APPROXIMATE LOCATION)
S	SECTION
SF	SQUARE FEET
ST	STREET LIGHT
SS	SANITARY SEWER MAIN (EXISTING)
SSW	SANITARY SEWER MANHOLE (EXISTING)
STD	STANDARD
TP	TELEPHONE POLE (EXISTING) (APPROXIMATE LOCATION)
U	UNDERGROUND SERVICE ALERT
USA	USA
WTR	WATER MAIN (EXISTING)



NOTES

1. PARCEL DESIGNATION	PARCEL SIZE	RECORD OWNER(S)
APN 410-062-10	1.49 AC.	ANKS FAMILY TRUST, et al. DEED RECORDED ON 12/08/2011 AS DOCUMENT #0105051-00
APN 410-062-11	1.92 AC.	ANKS FAMILY TRUST, et al. DEED RECORDED ON 12/08/2011 AS DOCUMENT #0103945-00
APN 410-062-12	1.00 AC. (GROSS) 0.90 AC. (NET)	MD VALLEY SERVICES, INC. DEED RECORDED ON 08/29/2011 AS DOCUMENT # 0085866-00
SUB-TOTAL:	4.41 AC. (GROSS) 4.31 AC. (NET)	

POTENTIAL DEVELOPMENT (NOT A PART OF SUBDIVISION, SHOWN FOR FUTURE DEVELOPMENT PURPOSES ONLY)

APN 410-062-15	0.48 AC.	CULLEN TRUST OF 2006, DEED RECORDED ON 12/15/2006 AS DOCUMENT # 0262680-00
TOTAL:	4.89 AC. (GROSS) 4.79 AC. (NET)	

- SUBDIVIDER: BEAL DEVELOPMENT, L.L.C.
ATLVA; GEORGE BEAL
1175 SHAW AVENUE #104
PMB 372 CLOVIS, CA 93612
(558) 291-8672
bealdevelopment@aol.com
- ALL PROPOSED LOTS ARE INTENDED FOR RESIDENTIAL USE.
- SITE AREA:
GROSS = 4.41 ACRES
NET = 4.31 ACRES (LESS WEST HALF OF PEACH AVENUE ALONG FRONT PROJECT)
- LOT SIZE RANGE:
MINIMUM = 3,916 SF
MEDIAN = 4,491 SF
AVERAGE = 5,115 SF
MAXIMUM = 8,286 SF
- CURRENT GENERAL PLAN LAND USE DESIGNATION AND ZONE DISTRICT:
PARCEL 1 & 2 : MEDIUM HIGH DENSITY (7.1 - 15.0 UNITS PER ACRE), R-2 ZONE DISTRICT
PARCEL 3 : MEDIUM DENSITY (4.1 - 7.0 UNITS PER ACRE), R-1 ZONE DISTRICT
PARCEL 4 : LOW DENSITY (2.1 - 4.0 UNITS PER ACRE), R-4 ZONE DISTRICT
NOTE: A CONDITIONAL USE PERMIT MAY BE REQUIRED BY THE CITY OF CLOVIS TO ADDRESS DENSITY & MINIMUM LOT SIZE REQUIREMENTS.
- PROPOSED DESIGN 27 UNITS / 4.31 NET ACRES = 6.26 UNITS PER NET ACRE
- PROPOSED MINIMUM BUILDING SETBACKS: 20 FT. FRONT, 3 FT. ON INTERIOR SIDE LOT LINES, 15 FT. ON STREET SIDE LOT LINES, 20 FT. REAR.
- THE SUBDIVIDER HEREBY INFORMS THE ADVISORY AGENCY OF THE LOCAL AGENCY OF THE SUBDIVIDER'S INTENTION TO FILE MULTIPLE FINAL MAPS ON THIS TENTATIVE MAP, IN ACCORDANCE WITH SUBDIVISION MAP ACT § 6645.1.
- ALL STRUCTURES SHOWN HEREON WERE LOCATED BY UN-ORTHORECTIFIED AERIAL PHOTOGRAPHY. EXISTING LOCATIONS SHALL BE FIELD SURVEYED PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION OR FILING OF ANY FINAL MAPS.

LEGAL DESCRIPTION

PARCEL 1:
THE WEST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B. & M., IN THE CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE UNITED STATES GOVERNMENT TOWNSHIP PLATS, APPROVED BY THE SURVEYOR GENERAL ON JULY 15, 1854, EXCEPTING THEREFROM THE SOUTH 266 FEET THEREOF, EXCEPTING THEREFROM THE SOUTH 266 FEET THEREOF.

APN : 410-062-10
AREA : 1.49 ACRES (MORE OR LESS)
OWNER : ANKS FAMILY TRUST, ET AL.

PARCEL 2:
THE NORTH 505 FEET OF THE EAST HALF, OF THE WEST HALF, OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B. & M., ACCORDING TO THE UNITED STATES GOVERNMENT TOWNSHIP PLATS, APPROVED BY THE SURVEYOR GENERAL JULY 15, 1854.

APN : 410-062-11
AREA : 1.92 ACRES (MORE OR LESS)
OWNER : ANKS FAMILY TRUST, ET AL.

PARCEL 3:
THE NORTH ONE ACRE OF THE NORTH HALF OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B. & M., IN THE CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE UNITED STATES GOVERNMENT TOWNSHIP PLATS, APPROVED BY THE SURVEYOR GENERAL ON JULY 15, 1854.

APN : 410-062-12
AREA : 1 ACRE (MORE OR LESS)
OWNER : MD VALLEY SERVICES, INC.

POTENTIAL DEVELOPMENT PARCEL 4: (NOT A PART OF SUBDIVISION, SHOWN FOR FUTURE DEVELOPMENT PURPOSES ONLY)

THE EAST HALF, OF THE WEST HALF, OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B. & M., ACCORDING TO THE UNITED STATES GOVERNMENT TOWNSHIP PLATS, APPROVED BY THE SURVEYOR GENERAL JULY 15, 1854, EXCEPTING THEREFROM THE NORTH 505 FEET, AND THE SOUTH 30 FEET THEREOF.

APN : 410-062-15
AREA : 0.47 ACRES (MORE OR LESS)
OWNER : CLIFT CARINGROSS CULLEN

PREPARED BY:
PRECISION CIVIL ENGINEERING, INC.
1234 "O" STREET
FRESNO, CA 93721
PH(559)449-4500 FAX(559)449-4515



CITY of CLOVIS

REPORT TO THE PLANNING COMMISSION

TO: Clovis Planning Commission

FROM: Planning and Development Services

DATE: February 28, 2019

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

Staff: Ricky Caperton, AICP, Senior Planner

Recommendation: Approve

- ATTACHMENTS:
1. Conditions of Approval
 2. Draft Resolution
 3. Correspondence from Agencies
 4. Site Plan
 5. Floor Plan and Elevations

CONFLICT OF INTEREST

None

RECOMMENDATION

Staff recommends that the Planning Commission approve conditional use permit CUP2018-16, subject to the conditions listed in Attachment 1.

EXECUTIVE SUMMARY

The applicant is requesting approval of a conditional use permit to allow a church to operate within an existing commercial building located at the southwest corner of Gettysburg and Phillip Avenues. The project proposes improvements to the existing surface parking lot to accommodate Americans with Disabilities (ADA) compliant vehicle spaces, which would also consist of ADA compliant walkways and ramps leading to the entrance of the building. Additionally, the applicant proposes minor improvements to the building’s exterior such as installation of new windows and doors at the north end (front) of the building, as well as interior improvements to create new office space for administrative tasks for operation of a church use.

Approval of this conditional use permit will allow the applicant to continue moving forward with tenant improvements, exterior improvements, and begin operation of the church.

BACKGROUND

- General Plan Designation: Industrial
- Specific Plan Designation: None
- Existing Zoning: C-M (Commercial – Light Manufacturing)
- Lot Size: 1.82 acres
- Current Land Use: Commercial
- Adjacent Land Uses:
 - North: P-C-C (Planned Commercial Center)
 - South: C-M (Commercial – Light Manufacturing)
 - East: R-1 (County) (Single-Family Residential)
 - West: M-1 (Light Manufacturing)
- Previous Entitlements: SPR85-82

PROPOSAL AND ANALYSIS

Project Description and Operations

The applicant is requesting approval of a conditional use permit to allow a church to operate within an existing commercial building located at the southwest corner of Gettysburg and Phillip Avenues (1030 Gettysburg Avenue, Suite 100), as shown in Figure 1. The site is currently zoned C-M (Commercial – Light Manufacturing), which allows for church facilities with an approved conditional use permit.

The lease area is approximately 7,236 square-feet and is located within a larger multi-tenant 26,000 square-foot building. The applicant proposes minor interior tenant improvements to create new office spaces, classrooms, as well as safety retrofitting to the interior fire suppression system. Minor improvements are proposed to the project site and its exterior, including minor restriping of the existing surface parking lot for Americans with Disabilities Act (ADA) stalls, and improved ADA-compliant walkways and ramps providing access to and from the church. Further, the applicant proposes replacing one existing double-door for a storefront window along the north end of the building facing Gettysburg, and replacing one single-door for double-doors, also at the north end of the building. The new double-doorway would serve as the main entrance to the church and provide access directly to the lobby area.

Hours of Operation

Church operations would generally occur seven days per week between the hours of 6:00 a.m. and 9:00 p.m., consisting of church services, administrative activities, and children's activities. Church services would typically occur on weekends between the hours of 6:00 a.m. and 9:00 p.m., and administrators would work throughout the week Monday through Saturday from 6:00 a.m. and 8:00 p.m. During the summer, the church would hold children activities during a week-long Vacation Bible Study (VBS) between the hours of 3:00 p.m. to 9:00 p.m. During VBS, children's activities would typically occur indoors in the multiple classrooms proposed as part of the project shown on the floor plan, with occasional minor outdoor activities.

Parking

There are 90 parking spaces currently serving the overall site. The proposed project would occupy approximately 7,236 square-feet of the 26,000 square foot building. Per Section 9.32.040 of the Clovis Municipal Code, religious institutions and churches require a parking ratio of 1 space per 5 fixed seats or 1 space for every 40 square feet of gross assembly or viewing area, plus ancillary uses (e.g., restaurant). The submitted floor plan shows seating for 133 people which would require 27 parking spaces to serve the church. This leaves approximately 63 spaces (of the total 90) to serve the remaining 18,764 square foot building.

Further, church operations generally result in peak periods during the weekend (e.g., Sunday) when most other businesses are typically closed or have limited hours. Thus, the likely offset in hours of operation between the church use and neighboring business would ensure sufficient parking is provided. Lastly, a reciprocal access agreement was required under SPR-85-82, which is in place and would also provide parking at the adjacent property, if needed.

Signage

To preserve the established commercial appearance of the building, staff recommends a condition requiring the applicant to submit for a Sign Review application with the Planning and Development Services Division before any sign is mounted onto the building. All signs shall conform to the requirements of the Clovis Sign Ordinance.

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.

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, 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.

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 goal and policy reflects 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 vehicle trips.

Land Use Element

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.

- A. Create a range of housing opportunities and choices
- B. Create walkable neighborhoods
- C. Encourage community and stakeholder collaboration
- D. Foster distinctive, attractive communities with a strong sense of place
- E. Make development decisions predictable, fair, and cost-effective
- F. Mix land uses

- G. Preserve open space, farmland, natural beauty, and critical environmental areas
- H. Provide a variety of transportation choices
- I. Strengthen and direct development toward existing communities
- J. Take advantage of compact building design
- K. Enhance the economic vitality of the region
- L. Support actions that encourage environmental resource management

Circulation Element

Policy 1.4 Jobs and housing. Encourage infill development that would provide jobs and services closer to housing, and vice versa, to reduce citywide vehicle miles travelled and effectively utilize the existing transportation network.

Consistency with Surrounding Area

The project is located within an existing commercial building located at the southwest corner of Gettysburg and Phillip Avenues. The property to the west is a commercial building also with a church use. The properties to the north (across Gettysburg Avenue) and east (across Phillip Avenue, and Fresno County jurisdiction) of the project site are residential uses. South of the site is a vacant parcel zoned C-M (Commercial – Light Manufacturing).

California Environmental Quality Act (CEQA)

The City has determined that this Project is exempt from CEQA pursuant to Public Resources Code Section 15031 (Class 1 – Existing Facilities) which provides that existing facilities consisting of the operation, repair, maintenance, or minor alternation involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination are categorically exempt from further analysis under CEQA.

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, February 13, 2019.

FISCAL IMPACT

None.

REASON FOR RECOMMENDATION

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 CUP2018-16, subject to the conditions of approval listed as Attachment 1.

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

1. That the proposed use is conditionally allowed within, and would not impair the integrity and character of the subject zoning district and is in compliance with all of the applicable provisions of the Development Code;
2. That the proposed use is consistent with the General Plan and any applicable Specific Plan;
3. That 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. That the subject property is physically suitable in size and shape for the type and density/intensity of use being proposed;
5. That 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 Categorical Exemption, there is no substantial evidence that the project will have a significant effect on the environment.

ACTIONS FOLLOWING APPROVAL

None

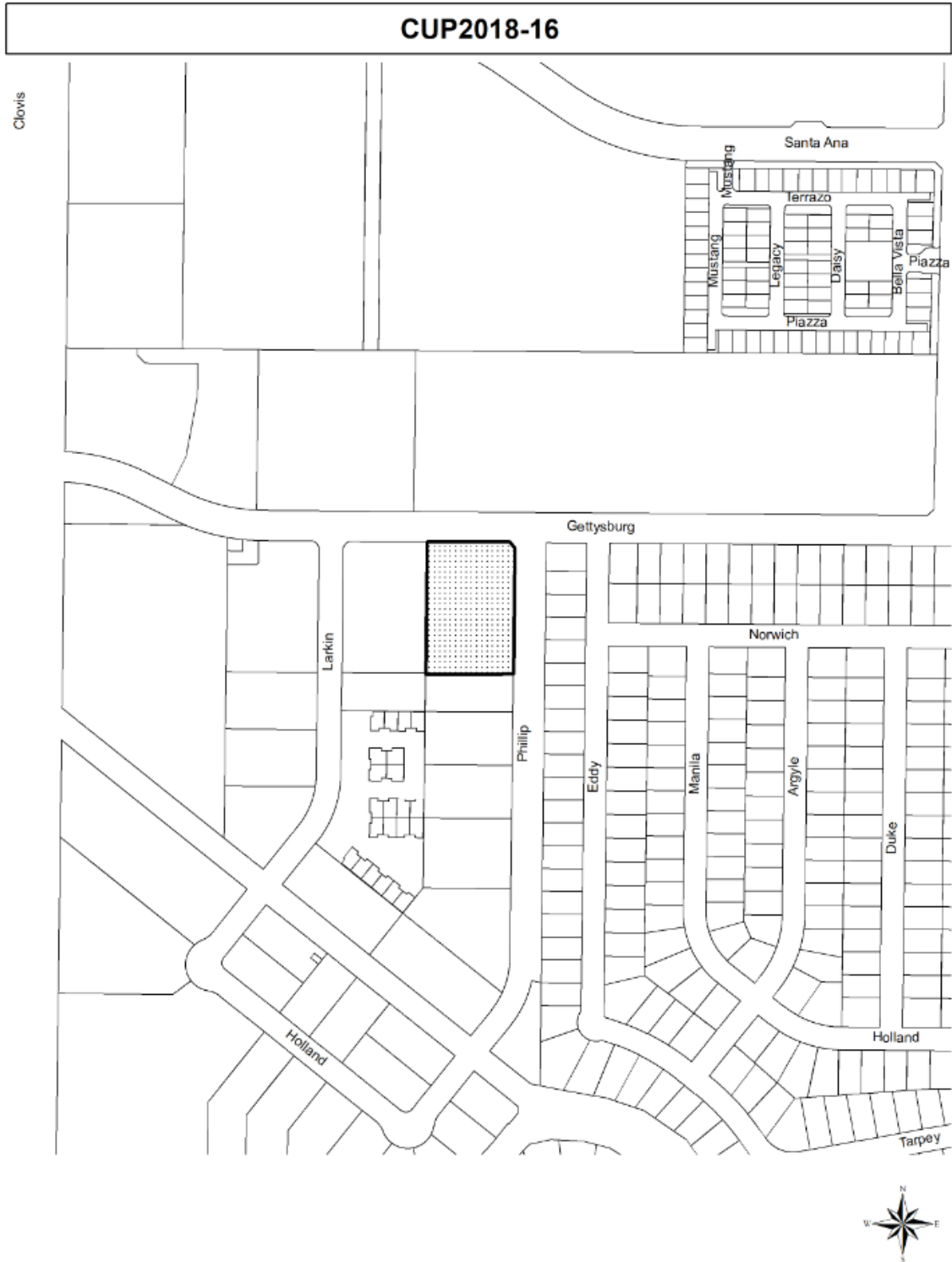
NOTICE OF HEARING

Property owners within 300 feet notified:	28
Interested individuals notified:	11

Prepared by: Ricky Caperton, AICP, Senior Planner

Reviewed by: Bryan Araki
City Planner

**FIGURE 1
PROJECT LOCATION MAP**



ATTACHMENT 1
Conditions of Approval – CUP2018-16

Planning Division Conditions

(Ricky Caperton, AICP, Division Representative – (559) 324-2347)

1. All conditions of this use permit shall be addressed prior to operation of the facility.
2. The applicant shall submit and comply with the requirements of the site plan review amendment process for the proposed exterior and site work.
3. Conditional Use Permit CUP2018-16 may be reviewed in one year 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.
4. This conditional use permit approves a church for property located at 1030 Gettysburg Avenue, Suite 100, as per Attachments 4 and 5. Any changes in use may require an amendment to the Conditional Use Permit.
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 parking shall occur on site.
8. Parking for this project shall be provided at a ratio of 1 space per 5 fixed seats or 1 space for every 40 square feet of gross assembly or viewing area, plus ancillary uses (e.g., restaurant).
9. Bicycle storage shall be provided in compliance with the California Green Building Code which requires the number of bicycle stalls to equal 5 percent of the number of required off-street vehicle spaces.
10. 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.

11. Operation of the site shall conform to the Clovis noise and vibration standards (CMC §9.22.080 and §9.22.100).
12. No outdoor display of merchandise is permitted unless approved through a separate Administrative Use Permit.
13. All conditions of SPR85-82 and any other applicable conditions are hereby referred to and made part of this conditional use permit.
14. The church use shall be responsible for parking of their members and guests. Parking for the church shall not impact the neighborhood to the east. Members and guests should avoid parking within the residential neighborhood.

Fire Department Conditions

(Gary Sawhill, Department Representative – 559-324-2224)

15. Submit plans to and obtain permit from the Clovis Fire Prevention Bureau for the installation or modification of fire sprinkler system as part of the proposed remodel. In the future foyer, there are two heads that are closer than 6' apart and will need to be relocated. There are two areas with roll up doors that will require fire sprinkler heads to be installed. Additional fire sprinkler work will need to be done with the proposed remodel.
16. The applicant shall submit to the Clovis Fire Department documentation of a current 5-year certification of the fire sprinkler system.
17. Provide minimum 2A:10B:C portable fire extinguisher(s) (per NFPA 10). One extinguisher is required for each 6,000 square feet or portion thereof of floor space, with travel distance not to exceed 75 feet. 2016 CFC, Section 906.3. **(light hazard occupancies)**
18. Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. All rooms or spaces with an occupant load of 50 or greater. Posted signs shall be of an approved permanent design and be maintained by the owner or authorized agent. 2016 CFC, Section 1004.3
19. Chair arrangements containing 200 or more chairs (not fixed) require all of the chairs to be bonded together in groups of not less than three. 2016 CFC, Section 1029.14
20. All decorative materials shall be of non-combustible or approved flame retardant treated materials. CCR Title 19, Section 3.08

21. Install exits signs required in the area used by the church and in the shared common hallway. Exits and exit access doors shall be marked by an approved illuminated exit sign readily visible from any direction of egress travel. Exit sign placement shall be such that no point is more than 100 feet or listed viewing distance for the sign, whichever is less. Existing paper exit signs do not meet this requirement. 2016 CFC, Section 1013.1
22. The church will need to install additional exit doors that swing into the shared hallway. Doors opening into the path of exit travel shall not reduce the required width of the path to less than one-half. 2016 CFC, Section 1005.7.1
23. Emergency lighting is required in the area used by the church and in the shared common hallway. Provide illuminated emergency power per 2016 CFC, Section 1008.3.
24. Provide emergency lighting on exterior landings for exit discharge doorways in buildings required to have two or more exits. 2016 CFC, Section 1008.3.2
25. Remove the key locking hardware on the exit door at the front of the sanctuary. The proposed main door to the sanctuary in the future foyer is the only door serving the church that is allowed to have key locking hardware. The main exterior door is permitted to be equipped with key-operated locking devices from the egress side provided 1) the locking device is readily distinguishable as locked, 2) a readily visible durable sign posted on the egress side on or adjacent to the door stating "THIS DOOR TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED" and, 3) the use of the key operated locking device is revocable by the building official for due cause. 2016 CFC, Section 1010.1.9.3
26. Install panic hardware on the exit doors serving the common hallway and remove all locking devices on these doors. 2016 CFC, Section 1010.1.10
27. Install blanks over openings for breakers in the electrical service panel. 2013 CFC Section 605.1
28. This project will require that plans be submitted to the Building Department to be reviewed by various city departments.

Fresno Metropolitan Flood Control District Conditions
(Robert Villalobos, FMFCD Representative – 559-456-3292)

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

County of Fresno Health Department Conditions

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

30. 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 – 559-324-2363)

(Paul Armendariz, Public Utilities Representative – 559-324-2649)

General Provisions

30. The applicant shall pay all applicable development fees prior to the issuing of a building permit. A preliminary estimate of fees is \$2,300.00. Additional fees may be assessed and must be paid prior to issuance of subsequent development permits. **NOTE:** The fees given at this time are an estimate calculated using rates currently in effect. These rates are subject to change without notice and the actual amount due shall be calculated using fee rates in effect at the time of payment. Additional fees payable to the City or other agencies (FMFCD) may become due as supplemental information regarding the project is received by the City.
31. The applicant shall obtain encroachment permits from the City of Clovis for work performed within the City's right-of-way and easements.
32. The applicant shall install all off-site improvements within the 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 approval. The applicant shall provide and pay for any compaction tests required by the City of Clovis in the course of construction.

Dedications and Street Improvements

33. 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.
34. The applicant shall remove and repair all damaged or broken concrete improvements, such as but not limited to the following list. The City Engineer may require the repair of additional improvements if they are damaged prior to occupancy.

a. Uplifted sidewalk just east of the street light on Gettysburg Avenue,

35. The applicant shall provide preliminary title report for the subject property(ies).

Irrigation and Landscaping Facilities

36. The applicant shall provide for recording a landscape and irrigation perpetual maintenance covenant for landscaping installed in the public right-of-way behind the curb and within City easements that will not be maintained by the Clovis Landscape Maintenance District. The recordable covenant must be submitted to, reviewed and approved by the City prior to approval of the improvement plans or the release of any development permits.
37. 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 for the tax. The current estimated annual assessment is \$179.52, 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 property owner/applicant shall notify all potential lot buyers before they actually purchase a lot that this lot is a part of a Landscape Maintenance District and shall inform potential buyers of the assessment amount. The applicant shall supply all necessary assessment diagrams and other pertinent materials for the Landscape Maintenance District as requested by the City prior to issuance of building permit.

Miscellaneous

38. The trash enclosure shall be used only for trash and recycling bins. The applicant is prohibited from storing other items in the enclosure and storing trash or recycling bins outside the enclosure.
39. A deferment, modification, or waiver of any engineering conditions will require the express written approval of the City Engineer.
40. All conditions of approval shall be fully complied with prior to issuance of a Certificate of Occupancy final acceptance.

DRAFT RESOLUTION

ATTACHMENT 2

DRAFT
RESOLUTION 19-_____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING A
CONDITIONAL USE PERMIT TO ALLOW A CHURCH TO OPERATE WITHIN AN EXISTING
COMMERCIAL BUILDING LOCATED NEAR THE SOUTHWEST CORNER OF GETTYSBURG AND
PHILLIP AVENUES (1030 GETTYSBURG AVENUE, #100) AND FINDING THE PROJECT IS EXEMPT
FROM CEQA PURSUANT TO A CLASS 1 CATEGORICAL EXEMPTION**

WHEREAS, Foundation Baptist Church, 1175 Shaw Avenue, Clovis, CA 93612, has applied for a Conditional Use Permit CUP2018-16; and

WHEREAS, this is a request to approve a conditional use permit to allow a church to operate within an existing commercial building located near the southwest corner of Gettysburg and Phillip Avenues (1030 Gettysburg Avenue, #100), in the City of Clovis; 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 February 28, 2019; 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 site for the proposed use is adequate in size and shape to properly accommodate such use;
2. The proposed use is conditionally allowed within, and would not impair the integrity and character of the subject zoning district and is in compliance with all of the applicable provisions of the Development Code;
3. The proposed use is consistent with the General Plan;
4. The street plan in the neighborhood is adequate to handle the traffic generated by the proposed use;
5. The proposed use will have no adverse effect on abutting properties and the permitted use thereon;
6. The conditions of approval stated in the resolution are deemed necessary to protect the public health, safety, and general welfare; and
7. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and, based upon the Categorical Exemption, 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 CUP2018-16, subject to the attached conditions labeled Attachment 1.

* * * * *

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

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 19-_____
DATED: February 28, 2019

Amy Hatcher, Chair

ATTEST: _____
Dwight Kroll, AICP, Secretary

CORRESPONDENCE

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

PUBLIC AGENCY

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

DEVELOPER

RODNEY AINSWORTH, FOUNDATION BAPTIST
CHURCH
1175 SHAW AVE.
CLOVIS, CA 93612

PROJECT NO: **2018-016**

ADDRESS: **1030 GETTYSBURG AVE.**

APN: **499-412-01**

SENT: **1/15/19**

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
2D	\$0.00	NOR Review *	\$64.00	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: \$64.00		

* The Development Review Service Charge shown above is associated with CL SPR 1985-082A and is currently proposed to develop in conjunction with this permit. Payment for this entitlement shall satisfy the amount due on the associated permits.

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

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

The proposed development shall pay drainage fees pursuant to the Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance. The fee indicated above is valid through 2/28/19 based on the site plan submitted to the District on 12/27/18 Contact FMFCD for a revised fee in cases where changes are made in the proposed site plan which materially alter the proposed impervious area.

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

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

CL CUP No. 2018-016

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 BE DIRECTED TO GETTYSBURG AND/OR PHILLIP AVENUES.
 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
 None required.

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

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

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


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

CL
CUP
No. 2018-016


FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

CL CUP No. 2018-016

- 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.



 Debbie Campbell
 Design Engineer



 Robert Villalobos
 Project Engineer

From: Daniele, Frank <FDaniele@fresnocountyca.gov>
Sent: Thursday, December 27, 2018 10:58 AM
To: Courtney Thongsavath
Cc: Lopez, Nadia
Subject: RE: Request for Comments for SPR85-29A and CUP2018-16

Fresno County Road Maintenance has no comments on the proposal.



Frank L. Daniele, PE | **Supervising Engineer**

**Department of Public Works and Planning | Road Maintenance and Operations
 Division**

2220 Tulare St. 6th Floor Fresno, CA 93721

Main Office: (559) 600-4240 Direct: (559) 600-4268

[Your input matters! Customer Service Survey](#)

From: Courtney Thongsavath <courtneyt@ci.clovis.ca.us>
Sent: Thursday, December 27, 2018 8:29 AM
To: Amy Hance <AmyH@ci.clovis.ca.us>; Andrew Haussler <andrewh@ci.clovis.ca.us>; Andrew Nabors <AndrewNabors@clovisusd.k12.ca.us>; Andrew Nabors <andrewnabors@cusd.com>; Jimenez, Bernard <BJimenez@fresnocountyca.gov>; Brian Weldon <bw1987@att.com>; Bryan Araki <BryanA@ci.clovis.ca.us>; Chad Fitzgerald <ChadF@ci.clovis.ca.us>; Cherie Clark <Cherie.Clark@valleyair.org>; Motta, Chris <CMotta@fresnocountyca.gov>; Christian A. Esquivias Ramirez <ChristianE@ci.clovis.ca.us>; Monfette, Christina <cmonfette@fresnocountyca.gov>; Curt Fleming <curtf@ci.clovis.ca.us>; Curtis Shurtliff <curtiss@ci.clovis.ca.us>; Fey, David <dfey@fresnocountyca.gov>; Dave Padilla <dave.padilla@dot.ca.gov>; Dave Scott <ds1298@att.com>; David Gonzalez <davidg@ci.clovis.ca.us>; Debbie Campbell <debbiec@fresnofloodcontrol.org>; Sidhu, Sukhdeep <ssidhu@fresnocountyca.gov>; Denise Wade <denisew@fresnofloodcontrol.org>; Douglas Stawarski <dougs@ci.clovis.ca.us>; Drew Esquer, Postmaster <ralph.a.esquer@usps.gov>; Dwight Kroll <DwightK@ci.clovis.ca.us>; Eric Zetz <ericz@ci.clovis.ca.us>; FID <Engr-Review@fresnoirrigation.com>; FMFCD <developmentreview@fresnofloodcontrol.org>; Daniele, Frank <FDaniele@fresnocountyca.gov>; Gary Sawhill <Sawhill@ci.clovis.ca.us>; Gene Abella <genea@ci.clovis.ca.us>; Geneva H. McJunkin <gr7434@att.com>; George Gonzalez <georgeg@ci.clovis.ca.us>; Uc, George <guc@fresnocountyca.gov>; Georgia Stewart <Georgia.Stewart@valleyair.org>; Gerald Conley <geraldc@ci.clovis.ca.us>; Allen, Glenn <glallen@fresnocountyca.gov>; Iri Guerra <IriG@ci.clovis.ca.us>; Jason C. <jasonc@fresnofloodcontrol.org>; Jeff Heidinger <jwhb@pge.com>; John Willow <JohnWi@ci.clovis.ca.us>; Lara, Juan <jlara@fresnocountyca.gov>; Ken Wells <kenw@ci.clovis.ca.us>; Kevin Peterson <kevinpeterson@cusd.com>; Tsuda, Kevin <ktsuda@fresnocountyca.gov>; Lily Cha <lilyc@ci.clovis.ca.us>; Luke Serpa <lukes@ci.clovis.ca.us>; Max Garces <MaxG@ci.clovis.ca.us>; Mel Gonzalez Sanchez <melg@ci.clovis.ca.us>; Michael Maxwell <michaelm@fresnofloodcontrol.org>; Michael Navarro <michael_navarro@dot.ca.gov>; Mike Harrison <mikeh@ci.clovis.ca.us>; Monique Chaidez <MKR4@pge.com>; Nicholas Torstensen <nicholast@ci.clovis.ca.us>; Orlando Ramirez <OrlandoR@ci.clovis.ca.us>; Paul Armendariz <PaulA@ci.clovis.ca.us>; richard.l.andersen@usps.gov>; richard.l.anderson@usps.gov>; Rick Fultz <rickf@ci.clovis.ca.us>; Robert J. Howard <R3Hd@pge.com>; Robert Villalobos <robertv@fresnofloodcontrol.org>; Ryan Burnett <RyanB@ci.clovis.ca.us>; Ryan Nelson <ryann@ci.clovis.ca.us>; Sarai Yanovsky <saraiy@ci.clovis.ca.us>; Scott Redelfs

<scottr@ci.clovis.ca.us>; Sean Smith <SeanS@ci.clovis.ca.us>; Sharla Yang <Sharla.Yang@valleyair.org>; Shawn Miller <ShawnM@ci.clovis.ca.us>; SJVAPCD <CEQA@valleyair.org>; Rhodes, Steven <srhodes@fresnocountyca.gov>; Tiffany Ljuba <tiffanyl@ci.clovis.ca.us>; Tricia Wathen <tricia.wathen@waterboards.ca.gov>; Trina Vietty <trinav@ci.clovis.ca.us>; Wildlife CEQA <R4CEQA@wildlife.ca.gov>

Cc: Courtney Thongsavath <courtneyt@ci.clovis.ca.us>

Subject: Request for Comments for SPR85-29A and CUP2018-16

County of Fresno

Internal Services Department (ISD) - IT Services

Service Desk 600-5900 (Help Desk)

CAUTION!!!

This email has been flagged as containing one or more attachments from an outside source.

Please check the senders email address carefully.

If you were not expecting to receive an email with attachments, please **DO NOT** open the file.

Forward the email to SPAM "SPAM@co.fresno.ca.us" and delete it.

Good morning,

Please see the attached request for comments for a Site Plan Review amendment for new ADA parking stalls and a Conditional Use Permit for a church sanctuary, offices, and classrooms.

Thank you!

Courtney Thongsavath

Planning Intern

City of Clovis | Planning Department

E. courtneyt@cityofclovis.com

P. 559.324.2064 | F. 559.324.2844

Mailing: 1033 Fifth Street | Clovis, CA 93612



County of Fresno

DEPARTMENT OF PUBLIC HEALTH

David Pomaville, Director
Dr. Sara Goldgraben, Health Officer

November 5, 2018

LU0019728
2604

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

Dear Ms. Thongsavath:

PROJECT NUMBER: **DRC2018-61**

DRC2018-61; Proposed Church Sanctuary, Offices, and Classrooms.

APN: 499-412-01

ZONING:

ADDRESS: 1030 Gettysburg Avenue

Recommended Conditions of Approval:

- Churches currently do not meet the definition of a retail food facility in the California Retail Food Code (CalCode), Section 113789(c)(3), provided that the church gives or sells food to its members and guests, and not to the general public, at an event that occurs not more than three (3) days in any ninety day period.

However, the applicant shall be advised that any proposal for food service requires the applicant to contact and submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval, prior to issuance of building permits. Contact the Consumer Food Protection Program at (559) 600-3357 for more information.

- The applicant **may** 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.
- 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 HSC, Division 20, Chapter 6.95 (<http://cers.calepa.ca.gov/>). Contact the Certified Unified Program Agency at (559) 600-3271 for more information.

Promotion, preservation and protection of the community's health

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

(559) 600-3271 • FAX (559) 600-7629

The County of Fresno is an Equal Employment Opportunity Employer

www.co.fresno.ca.us • www.fcdph.org

- The proposed remodel/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:

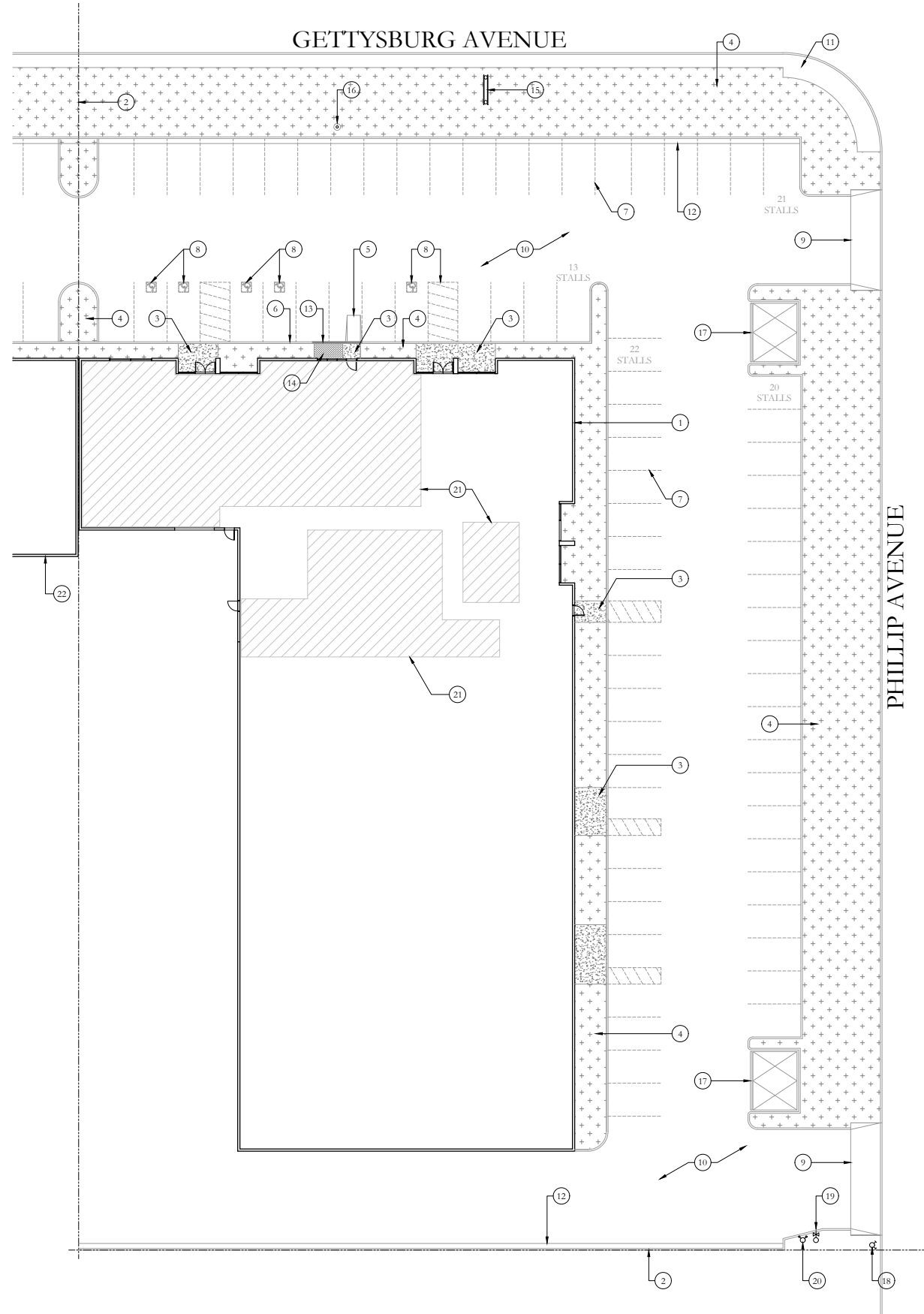
Kevin Tsuda, R.E.H.S.
Environmental Health Specialist II

(559) 600-3271

KT

cc: Rogers, Moreno & Kalugin- Environmental Health Division (CT. 58.01)
Rodney Ainsworth- Applicant (1rainsworth01@hotmail.com)

SITE PLAN



KEYNOTES:

1. EXISTING BUILDING
2. (E) PROPERTY LINE
3. (E) CONCRETE ENTRY
4. (E) LANDSCAPING AREA, EXISTING TREES, SHRUBS, AND GRASS NOT SHOWN
5. REMOVE EXISTING BUILT-UP ASPHALT RAMP
6. (E) 6" CONCRETE CURB
7. (E) PARKING STRIPING
8. (E) ACCESSIBLE PARKING SPACE, REMOVE OR BLACK OUT EXISTING ISA AND ASSOCIATED STRIPING WITH BLACK/GRAY PAINT.
9. (E) CONCRETE DRIVEWAY
10. (E) AC PAVEMENT PARKING LOT
11. (E) CONCRETE SIDEWALK
12. (E) CONCRETE CURB AND GUTTER
13. SAW CUT AND GRIND EXISTING 6" CONCRETE CURB
14. REMOVE EXISTING SHRUBS. MAINTAIN PERFORMANCE OF IRRIGATION SYSTEM, REMOVE AND CAP ANY SHRUB IRRIGATION SPRINKLERS.
15. (E) MONUMENT SIGN
16. (E) FLAGPOLE
17. (E) COVERED TRASH ENCLOSURE
18. (E) HYDRANT
19. (E) POST INDICATOR
20. (E) FIRE DEPARTMENT CONNECTION
21. SCOPE OF TENANT IMPROVEMENT, REFER TO APPLICABLE CONSTRUCTION PLANS AND DOCUMENTS.
22. ADJACENT BUILDING, NOT IN SCOPE OF WORK.

PROJECT INFORMATION

PROJECT DATA

SITE ADDRESS: 1030 GETTYSBURG AVE, SUITE 100-A
CLOVIS, CALIFORNIA 93612

APN: 499-412-01

EXISTING USE: VACANT (FORMER CHURCH)

PROPOSED USE: CHURCH

GEN. PLAN DESIGNATION: INDUSTRIAL

ZONING: C-M (COMMERCIAL/LIGHT MANUFACTURING)

BUILDING INFORMATION:

TYPE OF CONSTRUCTION: TYPE IV - SPRINKLERED

PROPOSED OCCUPANCY GROUP: A-3

BUILDING HEIGHT: 16'-0"

LEASED AREA:

WORSHIP CENTER: 2,511 SQ. FT.

CHILDREN SUNDAY SCHOOL AREAS: 2,443 SQ. FT.

CHURCH AUXILIARY/OFFICE AREAS: 2,282 SQ. FT.

TOTAL LEASED AREA: 7,236 SQ. FT.

PARKING:

ACCESSIBLE PARKING: 4 STALLS

STANDARD PARKING: 59 STALLS

MINIMUM TOTAL PARKING: 63 STALLS

PARKING RATIO BASED ON 2,511 SQ FT WORSHIP CENTER.
(2,511 SQ. FT. / 40 SQ. FT. = 63 TOTAL PARKING STALLS)

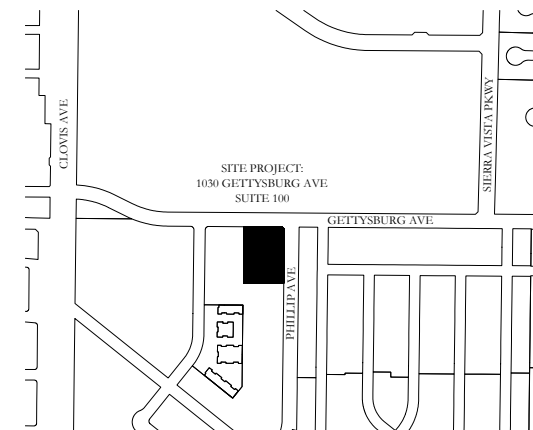
PARKING STALLS SHALL BE COMPLIANT TO CITY OF CLOVIS PARKING LOT STANDARD DRAWING M-6. ACCESSIBLE PARKING SHALL COMPLY WITH FEDERAL AND STATE STANDARDS.

GOVERNING CODES

2016 CALIFORNIA BUILDING CODE
2016 CALIFORNIA PLUMBING CODE
2016 CALIFORNIA ELECTRICAL CODE
2016 CALIFORNIA MECHANICAL CODE
2016 CALIFORNIA FIRE CODE
NFPA 13 2016 (CALIFORNIA EDITION)

DEFERRED APPROVAL

FIRE SPRINKLER TENANT IMPROVEMENT
NON-CODE REQUIRED SIGNAGE



AREA MAP

SCALE: NONE

1
A1.01
DEMO SITE PLAN
SCALE: 1" = 20'-0"



FOUNDATION
BAPTIST CHURCH
1450 CLOVIS AVENUE
CLOVIS, CALIFORNIA 93612
559.472.3227



NOT FOR CONSTRUCTION

REVISIONS

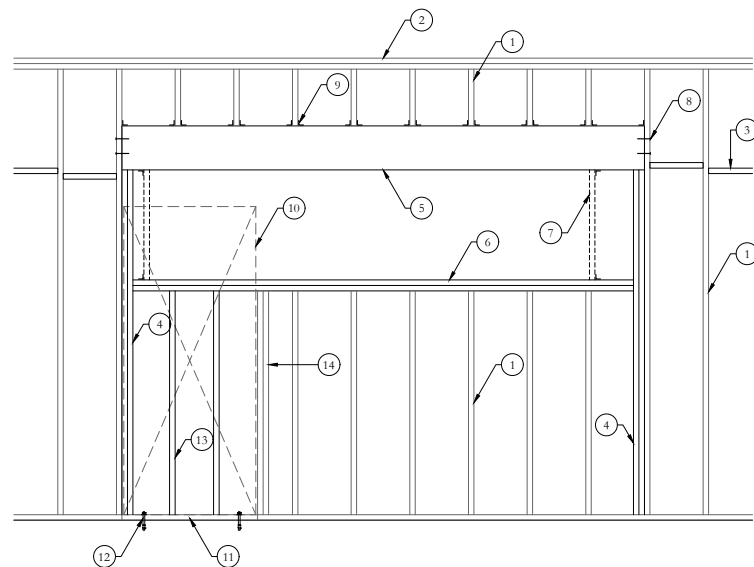
FOUNDATION BAPTIST CHURCH
TENANT IMPROVEMENT
1030 GETTYSBURG AVENUE - SUITE 100-A
CLOVIS, CALIFORNIA 93612

GENERAL NOTES
DEMO SITE PLAN

A1.01

FLOOR PLAN AND ELEVATIONS

HEADER SIZES		
HEADER SIZE FOR OPENING	BEARING WALL	NON-BEARING WALL
UP TO 4'-0"	STUD W x 6	STUD W x 4
4'-0" TO 8'-0"	STUD W x 8	STUD W x 6
8'-0" TO 10'-0"	STUD W x 10	STUD W x 8
10'-0" TO 12'-0"	STUD W x 12	STUD W x 10



5
A3.01
WINDOW FRAMING AT EXISTING STUD WALL
SCALE: 1/2" = 1'-0"

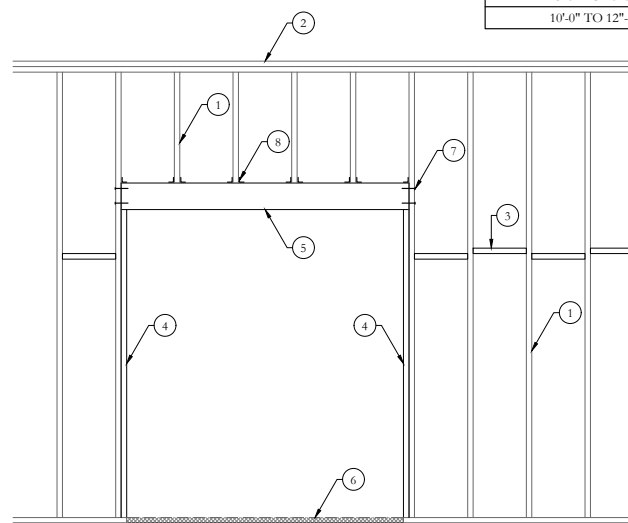
KEYNOTES:

- (E) 2x4 STUDS @ 16" O.C., TYPICAL.
- (E) DOUBLE 2X TOP PLATE.
- 2X STAGGERED BLOCKING @ 8'-0" O.C. MAXIMUM.
- (2) 2X KING STUDS
- HEADER, REFER TO TABLE ABOVE FOR SIZING.
- DOUBLE 2X SILL FRAMING.
- WALL FRAMING IN-FILL w/ 2X STUD @ 16" O.C. w/ SIMPSON A35 AT EACH END.
- (4) 16d NAILS @ EACH END.
- SIMPSON A35 T&B
- DEMO EXISTING DOOR AND HEADER.
- ADD 2X BOTTOM PLATE.
- (2) 1/2" x 5" CONCRETE EXPANSION ANCHORS, ICC ESR-1917 COMPLIANT.
- IN-FILL STUD FRAMING @ 16" O.C. MAX.
- (E) DOOR JAMB FRAMING.

FRAMING NOTES:

- PROVIDE WALL BRACING IN CONFORMANCE WITH MINIMUM REQUIREMENTS OF CBC.
- FASTENING SHALL CONFORM TO CBC TABLE 2304.10.1.
- JOISTS AND TYPICAL WOOD FRAMING - DF No. 2 AND BETTER.

HEADER SIZES		
HEADER SIZE FOR OPENING	BEARING WALL	NON-BEARING WALL
UP TO 4'-0"	STUD W x 6	STUD W x 4
4'-0" TO 8'-0"	STUD W x 8	STUD W x 6
8'-0" TO 10'-0"	STUD W x 10	STUD W x 8
10'-0" TO 12'-0"	STUD W x 12	STUD W x 10



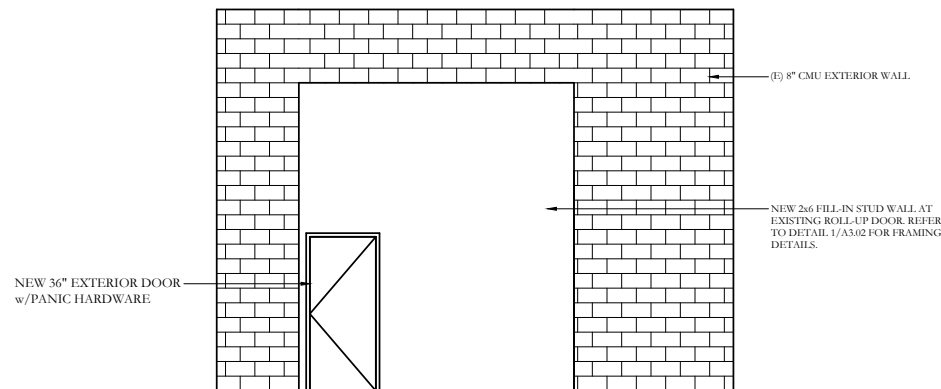
4
A3.01
**DOOR FRAMING PLAN AT EXISTING STUD WALL/
TYPICAL WALL FRAMING DETAIL**
SCALE: 1/2" = 1'-0"

KEYNOTES:

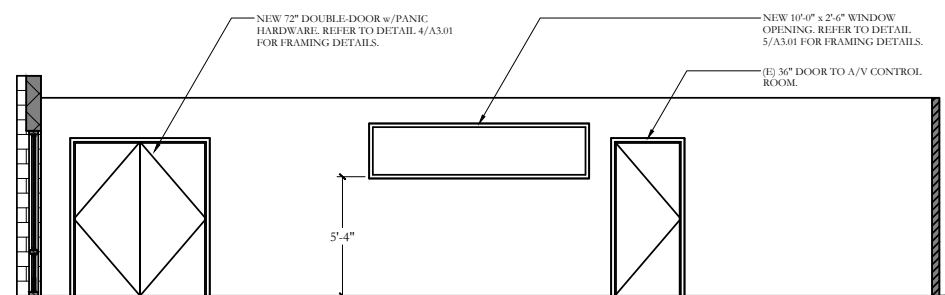
- 2x4 STUDS @ 16" O.C., TYPICAL.
- DOUBLE 2X TOP PLATE. HEIGHT MAY VARY.
- 2X STAGGERED BLOCKING @ 8'-0" O.C. MAXIMUM.
- 2X KING STUD
- HEADER, REFER TO TABLE ABOVE FOR SIZING.
- REMOVE EXISTING BOTTOM PLATE.
- (4) 16d NAILS @ EACH END.
- SIMPSON A35 T&B

FRAMING NOTES:

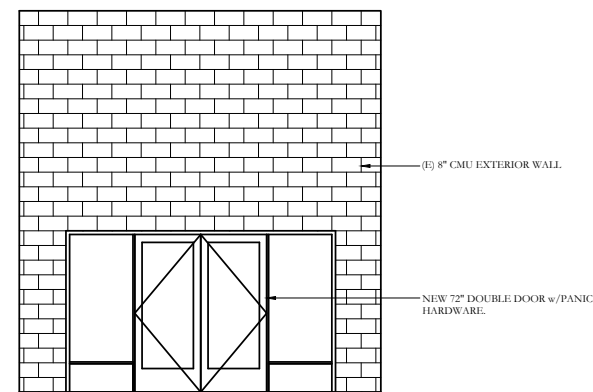
- PROVIDE WALL BRACING IN CONFORMANCE WITH MINIMUM REQUIREMENTS OF CBC.
- FASTENING SHALL CONFORM TO CBC TABLE 2304.10.1.
- JOISTS AND TYPICAL WOOD FRAMING - DF No. 2 AND BETTER.
- NEW WALLS SHALL BE FRAMED BELOW THE EXISTING SUSPENDED CEILING.



3
A3.01
**EAST ELEVATION AT
ROLL-UP DOOR**
SCALE: 1" = 20'-0"



2
A3.01
INTERIOR ELEVATION
SCALE: 1/4" = 1'-0"



1
A3.01
**ELEVATION VIEW AT
NEW FRONT ENTRANCE**
SCALE: 1/4" = 1'-0"

FOUNDATION
BAPTIST CHURCH
1450 CLOVIS AVENUE
CLOVIS, CALIFORNIA 93612
559.472.3227



**NOT FOR
CONSTRUCTION**

REVISIONS

FOUNDATION BAPTIST CHURCH
TENANT IMPROVEMENT
1030 GETTYSBURG AVENUE - SUITE 100-A
CLOVIS, CALIFORNIA 93612

SECTIONS AND
DETAILS

A3.01



CITY of CLOVIS

REPORT TO THE PLANNING COMMISSION

TO: Clovis Planning Commission

FROM: Planning and Development Services

DATE: February 28, 2019

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

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

- ATTACHMENTS:
1. Location Map
 2. TM6260 Conditions of Approval
 3. Draft Resolution
 4. Correspondence from Commenting Agencies
 5. Tentative Tract Map TM6260
 6. TM5176 Planning Commission Staff Report
 7. TM5176 Planning Commission Resolution 15-08
 8. Tentative Tract Map TM5176

CONFLICT OF INTEREST

None.

RECOMMENDATION

Staff recommends that the Planning Commission:

- Approve Tentative Tract Map TM6260, subject to the conditions of approval listed as Attachment 2 and Attachment 7; 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 a 34-lot single-family residential development located at the northeast corner of Shaw and Locan Avenues. The proposed map is consistent with the General Plan Land Use Diagram, Loma Vista Specific Plan and Development Code. The Planning Commission previously considered this project under Tentative Tract Map TM5176 which expired prior to recordation of the Final Map. Approval of this project would allow the developer to continue processing the development drawings.

BACKGROUND

- General Plan Designation: Low Residential (2.1 to 4.0 DU/AC)
- Specific Plan Designation: Low Residential (2.1 to 4.0 DU/AC)
- Existing Zoning: R-1
- Lot Size: 9.81 acres
- Current Land Use: Vacant
- Adjacent Land Uses:
 - North: Church
 - South: Rural Residential/ Agriculture
 - East: Urban Density Residential
 - West: Urban Density Residential
- Previous Entitlements: Rezone 2014-20 & Tentative Tract Map TM5176

The Planning Commission considered this Project on February 12, 2015, under Tentative Tract Map TM5176 and approved the single-family residential development with the attached conditions labeled Attachment 7.

PROPOSAL AND ANALYSIS

Tentative Tract Map TM5176 expired on February 12, 2018 and the applicant is resubmitting the same Project with no changes for the Planning Commission's consideration. The conditions of approval identified under Resolution 15-08 (see Attachment 7) remain valid and will be applied to Tentative Tract Map TM6260 if approved by the Commission.

Staff has included the staff report for TM5176 and associated attachments for the Commission's review (see Attachment 6). The staff report for TM5176 addresses project design, circulation, open space, paseo, community gateway, and thematic elements. These same Project elements apply to Tentative Tract Map TM6260 and will be enforced through the conditions of approval labeled Attachment 2 and Attachment 7.

Public Comments

A public notice was sent to area residents within 600 feet of the property boundaries. Staff

has not received comments or concerns from the public upon finalization of this report.

Review and Comments from Agencies

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

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

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, February 13, 2019.

REASON FOR RECOMMENDATION

The proposed Tentative Tract Map is consistent with the goals and policies of the General Plan Land Use Diagram, Loma Vista Specific Plan and Development Code. Staff therefore recommends that the Planning Commission approve TM6260, subject to the conditions of approval attached as Attachment 2 and Attachment 7.

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

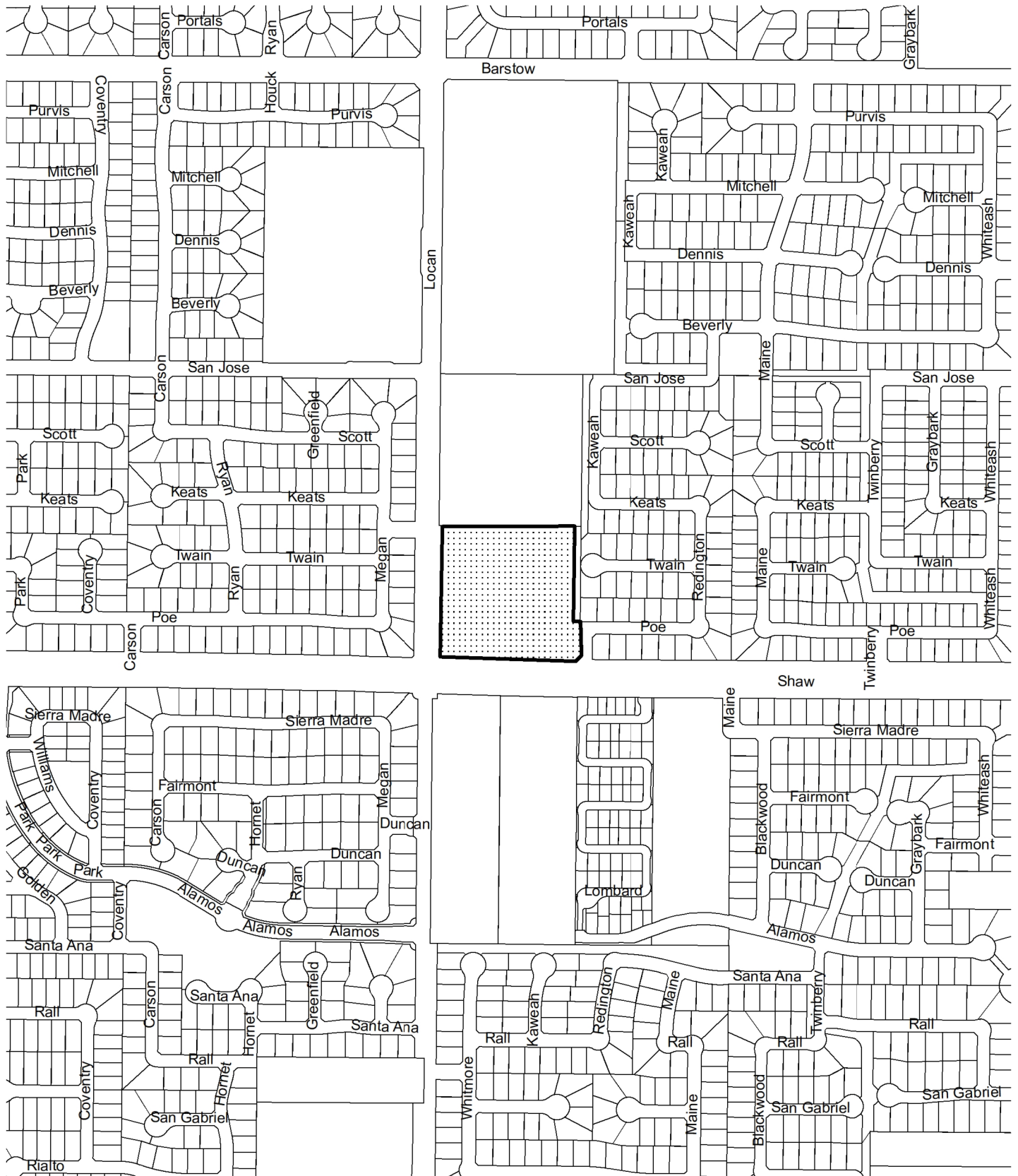
None.

NOTICE OF HEARING

Property owners within 600 feet notified:	146
Interested individuals notified:	10

Prepared by: George González, MPA, Associate Planner

Reviewed by: 
 Bryan Araki
 City Planner



ATTACHMENT 2
Conditions of Approval – TM6260

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

1. Development of the single-family residential development shall be consistent with the General Plan, Low Density Designation (2.1 – 4.0 DU/AC).
2. Development of this site shall be a single-family residential development consistent with R2014-20, V2016-05 and TM5176.
3. This Project is subject to the development standards of the Loma Vista Specific Plan.
4. All conditions of R2014-20, V2016-05 and TM5176 shall be included and are considered a part of TM6260 by reference.

FIRE DEPARTMENT CONDITIONS
(Gary Sawhill, Department Representative - 324-2224)

5. **Street Width:** Fire apparatus access width shall be determined by measuring from “base of curb” to “base of curb” for roadways that have curbs.
6. **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.
7. **All Weather Access:** 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.
8. **Two Points of Access:** Any development to this parcel will require a minimum of two (2) points of access to be reviewed and approved by the Clovis Fire Department. All required access drives shall remain accessible during all phases of construction which includes paving, concrete work, underground work, landscaping, perimeter walls.
9. **Residential Fire Hydrant:** The applicant shall install 4 4 ½” x 2 ½” 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.
10. **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.

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

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

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

12. 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)

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

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

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

**DRAFT
RESOLUTION 19-___**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING A TENTATIVE TRACT MAP FOR A 34-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION ON 9.81 ACRES OF PROPERTY LOCATED ON THE NORTHEAST CORNER OF SHAW AND LOCAN AVENUES AND FINDING THE PROJECT EXEMPT FROM CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 15061(B)(3)

WHEREAS, Wathen Family Builders, 575 E. Locust, Suite 201, Fresno, CA 93720, has applied for a Tentative Tract Map TM6260; and

WHEREAS, Tentative Tract Map TM6260, was filed on February 5, 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 February 28, 2019; and

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.

WHEREAS, the Planning Commission has given careful consideration to this map on February 28, 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 TM6260, attached and labeled Attachment 5, be and is hereby approved, subject to the attached conditions labeled Attachment 2 and Attachment 7.

* * * * *

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

AYES:
 NOES:
 ABSENT:
 ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 19-____
 DATED: February 28, 2019

 Amy Hatcher, Chair

ATTEST: _____
 Dwight Kroll, AICP, Secretary



County of Fresno

DEPARTMENT OF PUBLIC HEALTH

David Pomaville, Director
Dr. Sara Goldgraben, Health Officer

February 12, 2019

LU0019882
2604

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

Dear Mr. Gonzalez:

PROJECT NUMBER: **TM6260**

TM6260; A request to approve a tentative tract map for a 34-lot single-family residential subdivision located at the NEC of Shaw and Locan Avenues. Wathen Family Builders, applicant; Yamabe & Horn Engineering, Inc., representative. This Project was previously reviewed under Tentative Tract Map TM5176 in December of 2014. TM5176 has expired and the applicant is resubmitting the same Project with no changes.

APN: 554-040-19

ZONING: R-1

ADDRESS: NEC of Shaw & Locan Avenue

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

Promotion, preservation and protection of the community's health

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

(559) 600-3271 • FAX (559) 600-7629

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ATTACHMENT 4

from the well must be handled in accordance with federal, state and local government requirements.

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

REVIEWED BY:

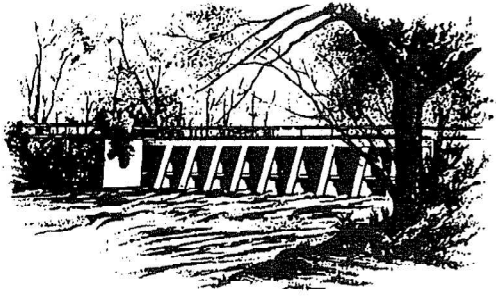
Kevin Tsuda

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

(559) 600-33271

KT

cc: Steven Rhodes- Environmental Health Division (CT. 59.09)



YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF
FRESNO
IRRIGATION DISTRICT

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

February 13, 2019

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

RE: Tentative Tract Map TM6260
 N/W Shaw and Locan avenues

Dear Mr. Gonzalez:

The Fresno Irrigation District (FID) has reviewed Tentative Tract Map TM6260 which request approval for a 34-lot single-family subdivision, APN: 554-040-19. FID has the following comments:

1. The subject property was previously reviewed and commented on by FID on January 15, 2015 as Tract Map No. 5176 and Rezone Application No. 2014-20. Those comments and conditions still apply and a copy is attached for your reference.

Additional Comments:

1. 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.

George Gonzalez
RE: TM6260
February 13, 2019
Page 2 of 2

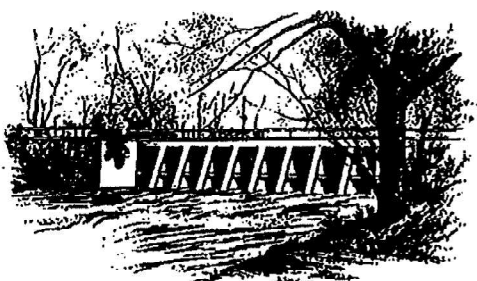
Thank you for submitting the proposed project for our review. We appreciate the opportunity to review and comment on the subject documents for this project. If you have any questions please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or clundeen@fresnoirrigation.com.

Sincerely,



Laurence Kimura, P.E.
Chief Engineer

Attachment



YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF
FRESNO
 IRRIGATION DISTRICT

TELEPHONE (559) 233-7161
 FAX (559) 233-8227
 2807 S. MAPLE AVENUE
 FRESNO, CALIFORNIA 93726-2208

January 13, 2015

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

RE: Tract Map No. 5176 and Rezone Application No. 2014-20
 N/E Shaw and Locan avenues

Dear Mr. Gonzalez:

The Fresno Irrigation District (FID) has reviewed Tract Map No. 5176 and Rezone Application No. 2014-20 where the applicant is requesting approval on a tentative tract map for a 34-lot single-family residential subdivision and a rezone of approximately 9.81 acres of property located at the northeast corner of Shaw and Locan avenues, APN: 554-040-19. 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 Jefferson Canal No. 112 runs westerly and crosses Locan Avenue approximately 1,200 feet south of the subject property, as shown on the attached FID exhibit map. Should this project expand to include any street improvements, utility connections, etc. along Locan Avenue and in the vicinity of the canal crossing, FID requires it review and approval of all plans.
3. For informational purposes, FID's Jefferson Canal No. 112 runs southwestly and crosses through the intersection of Shaw and DeWolf avenues approximately 1,900 feet east of the subject property, as shown on the attached FID exhibit map. Should this project expand to include any street improvements, utility connections, etc. along Shaw and DeWolf avenues and in the vicinity of the canal crossing, FID requires it review and approval of all plans.

G:\Agencies\Clovis\Tract Map\5176-1.doc

BOARD OF DIRECTORS President RYAN JACOBSEN, Vice-President STEVEN BALLS
 GEORGE PORTER, GREGORY BEBERIAN, JERRY PRIETO JR. General Manager GARY R. SERRATO

Mr. George Gonzalez
Re: TM5176 & R2014-20
January 13, 2015
Page 2 of 2

4. For informational purposes, FID's Brown Canal No. 113 runs southerly crossing Shaw Avenue approximately 2,000 feet east of the subject property, and continues along the east side of DeWolf Avenue as shown on the attached FID exhibit map. Should this project expand to include any street improvements, utility connections, etc. along Shaw and/or DeWolf avenues and in the vicinity of the canal crossing, FID requires it review and approval of all plans.
5. For informational purposes, FID's Dawson Canal No. 114 runs westerly on the south side of Shaw Avenue approximately 1,300 feet west of the subject property, and continues west as shown on the attached FID exhibit map. Should this project expand to include any street improvements, utility connections, etc. along Shaw and in the vicinity of the canal, FID requires it review and approval of all plans.
6. The proposed development may negatively impact local groundwater supplies. The area is currently open land with little to no water demand. Under current circumstances the overall area is experiencing a modest but continuing groundwater overdraft. Should the proposed development result in an increase water demand or a conversion from imported surface water to groundwater, 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.

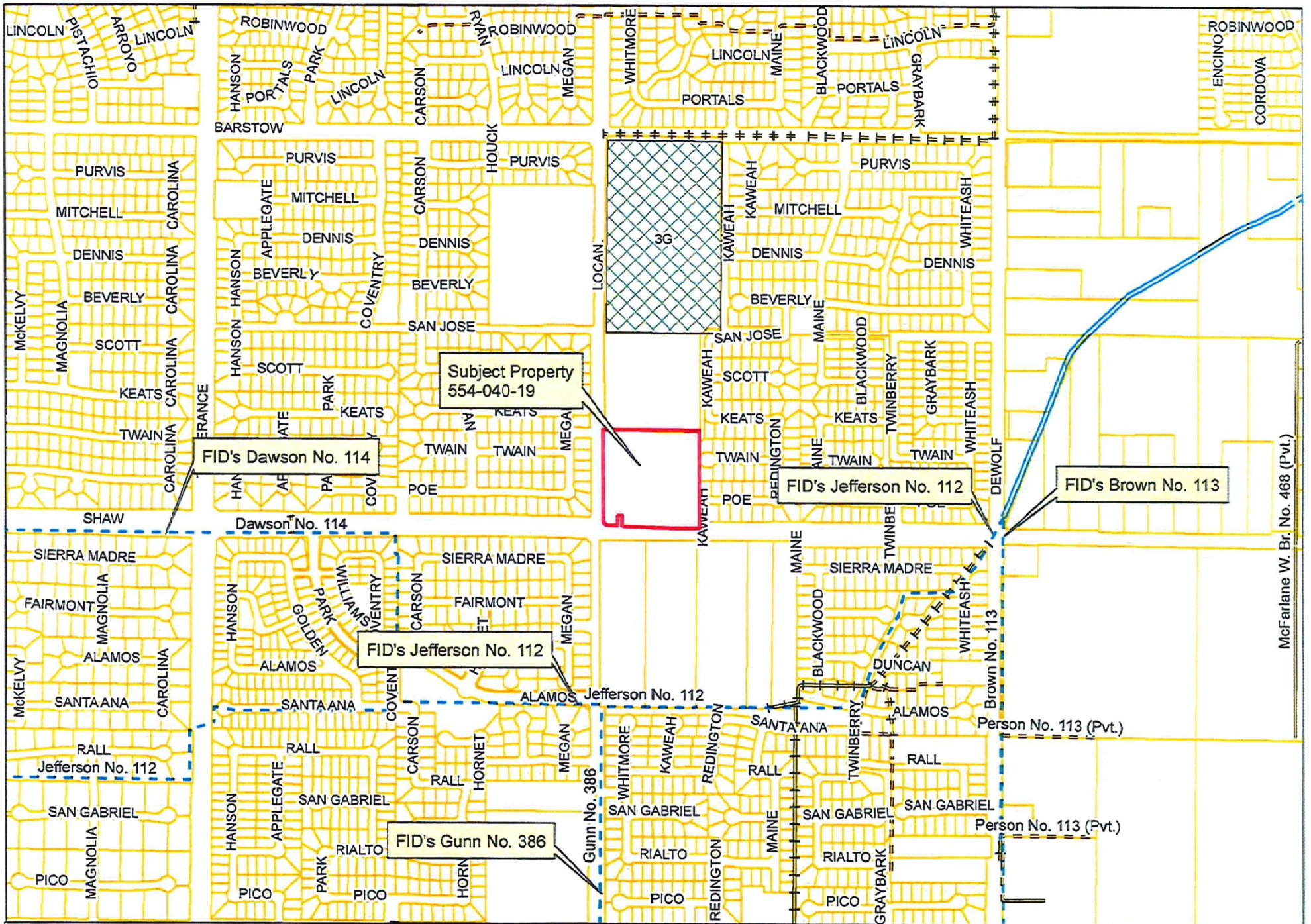
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Sen Saetern at (559) 233-7161 extension 7406 or ssaetern@fresnoirrigation.com.

Sincerely,



Laurence Kimura, P.E.
Chief Engineer – Special Projects

Attachment



Subject Property
554-040-19

FID's Dawson No. 114

FID's Jefferson No. 112

FID's Brown No. 113

FID's Jefferson No. 112

FID's Gunn No. 386

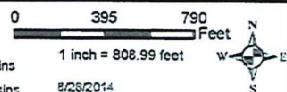


This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown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

Legend

- FID Canal
- - - FID Pipeline
- - - Stream Group
- - - Other-Creek/River
- - - FID Boundary
- - - Railroad
- Streets & Hwys
- - - Private Canal
- - - Private Pipeline
- - - Other-Pipeline
- - - Abandoned Canal
- - - Abandoned Pipeline
- - - Other-Pipeline

- Parcel
- FMFCD Acquired Basins
- FMFCD Proposed Basins



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

PUBLIC AGENCY

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

DEVELOPER

YAMABE & HORN ENGINEERING
2985 N. BURL AVE., SUITE101
FRESNO, CA 93727

PROJECT NO: 6260

ADDRESS: NEC SHAW AND LOCAN

APN: 554-040-19, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, XA, XB, XC, 554-040-XD

SENT: 2/15/19

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
3G	\$95,462.00	NOR Review	\$0.00	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: \$95,462.00		Total Service Charge: \$0.00		

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 2/06/19 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. 6260

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

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

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

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

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

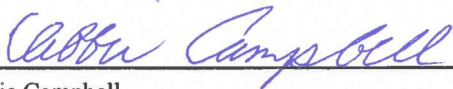
- 6. The subject site contains a portion of a canal or pipeline that is used to manage recharge, storm water, and/or flood flows. The existing capacity must be preserved as part of site development. Additionally, site development may not interfere with the ability to operate and maintain the canal or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

CL TRACT No. 6260

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

CL TRACT No. 6260

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

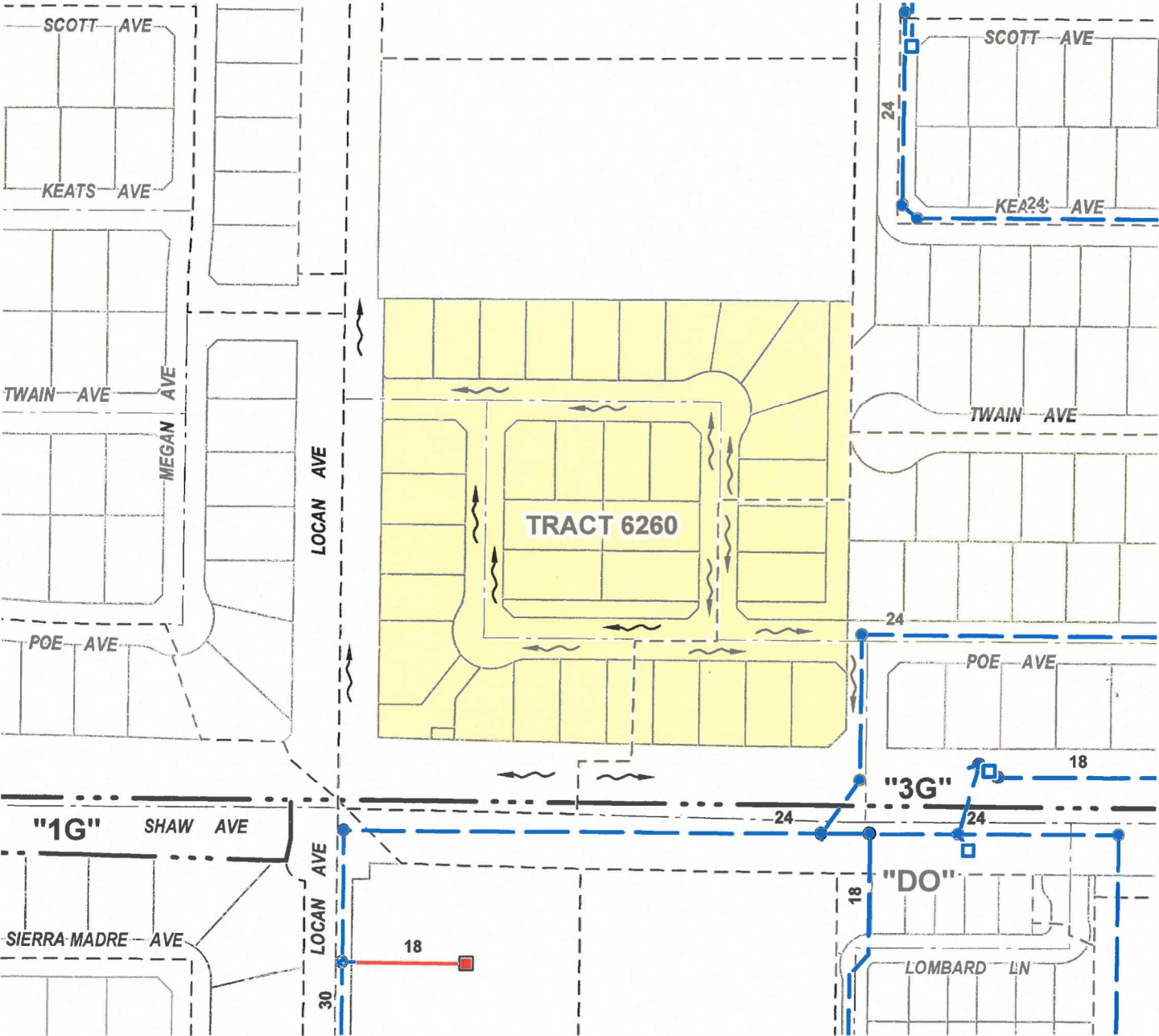


Debbie Campbell
Design Engineer





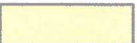


Robert Villalobos
Project Engineer

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



LEGEND

-  Existing Master Plan Facilities
-  Future Master Plan Facilities
-  Inlet Boundary
-  Direction Of Drainage
-  Limits Of Tract 6260



TRACT 6260
DRAINAGE AREA "3G"

EXHIBIT NO. 1



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

OTHER REQUIREMENTS
EXHIBIT NO. 2

Our records indicate that there may not be continuous existing curb and gutter along the east side of Locan Avenue to convey runoff to the existing Master Plan inlet located on the east side of Locan Avenue at the San Jose Avenue alignment. The developer shall be required to provide documentation and/or improvements satisfactory to the City of Clovis to allow for conveyance of storm water to the inlet location. If the developer cannot verify to the City of Clovis that runoff can reach the exiting Master Plan inlet, the District recommends temporary facilities for that portion of the tract draining to Locan Avenue until permanent service is available. Permanent service is available for the remaining portion of the tract.

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.

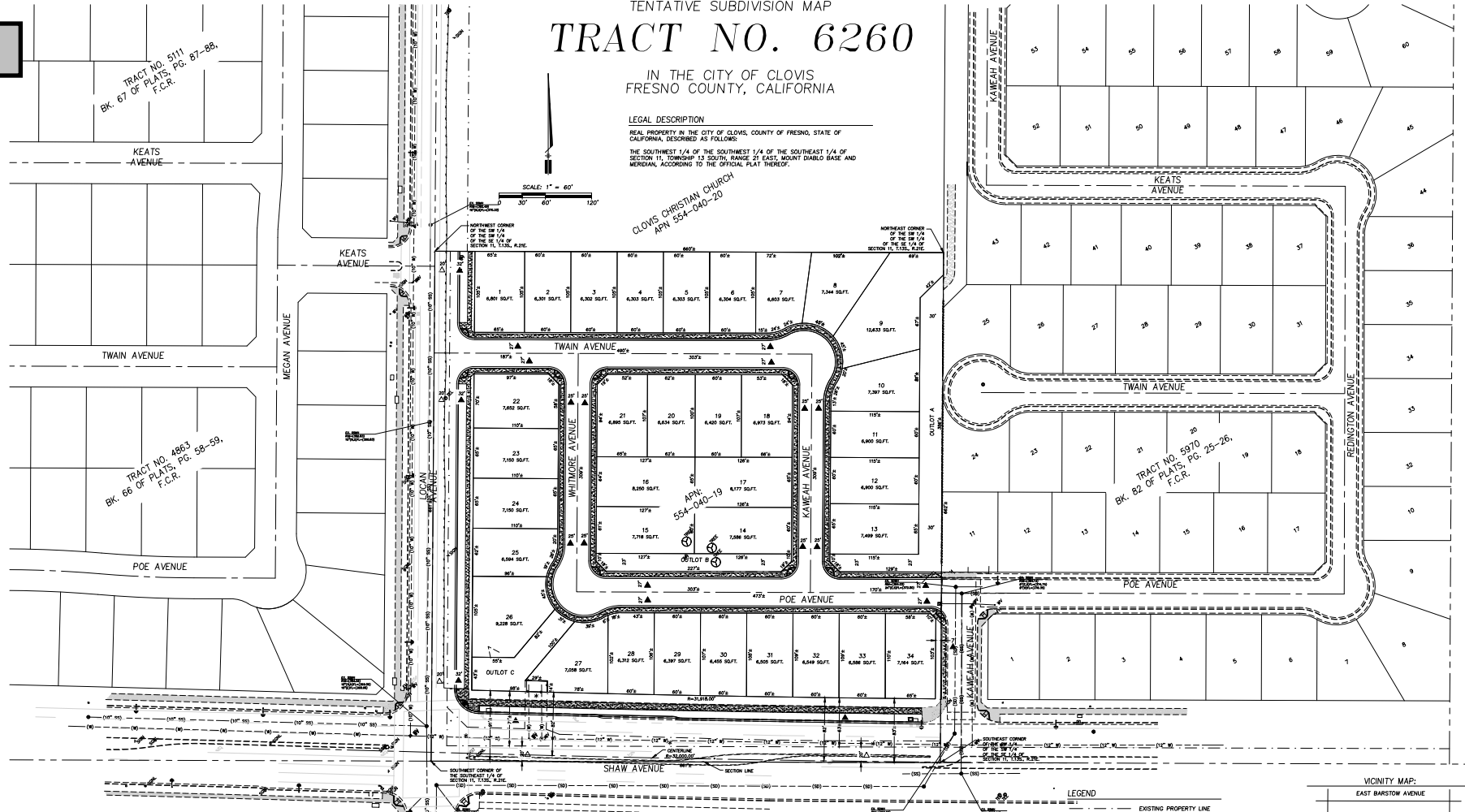
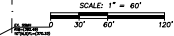
Development No. Tract 6260

TENTATIVE SUBDIVISION MAP TRACT NO. 6260

IN THE CITY OF CLOVIS
FRESNO COUNTY, CALIFORNIA

LEGAL DESCRIPTION
REAL PROPERTY IN THE CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

CLOVIS CHRISTIAN CHURCH
APN 554-040-20



TRACT NO. 5111
BK. 67 OF PLATS, PG. 87-88,
F.C.R.

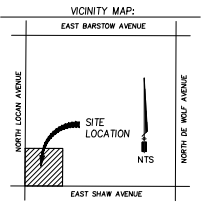
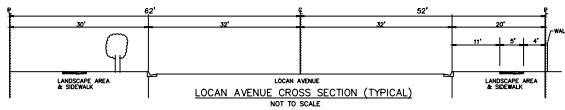
TRACT NO. 4863
BK. 66 OF PLATS, PG. 58-59,
F.C.R.

TRACT NO. 5970
BK. 82 OF PLATS, PG. 25-26,
F.C.R.

SITE INFORMATION
EXISTING TREES: NONE
EXISTING BUILDINGS: NONE
EXISTING USE: SINGLE FAMILY RESIDENTIAL
PROPOSED ZONING: R-1-75
SOURCE OF WATER: CITY OF CLOVIS
SOURCE OF SEWAGE DISPOSAL: CITY OF CLOVIS
SOURCE OF ELECTRICITY: PG&E
SOURCE OF GAS: COMCAST
SOURCE OF CABLE T.V.: COMCAST
SOURCE OF TELEPHONE: AT&T
ASSESSOR'S PARCEL NUMBER: 554-040-19
SITE AREA: 10.036 AC. GROSS, 9.438 AC. NET
OWNER: DELIA WATHEN, 575 E. LODUST AVE. #201, FRESNO, CA 93720
MINIMUM LOT SIZE: 6,000 SQ.FT.
MAXIMUM LOT SIZE: 12,759 SQ.FT.
AVERAGE LOT SIZE: 7,278 SQ.FT.
DU/AC - NET ACREAGE: 3.61 DU/AC

NOTE:
OUTLOTS A, B, AND C ARE TO BE DEDICATED FOR PUBLIC LANDSCAPE AND TRAIL PURPOSES

- LEGEND**
- EXISTING PROPERTY LINE
 - PROPOSED PROPERTY LINE
 - - - EXISTING SECTION LINE
 - - - EXISTING RIGHT-OF-WAY LINE
 - ▬ PROPOSED CONCRETE CURB & GUTTER
 - ▬ PROPOSED SIDEWALK
 - ▲ PREVIOUSLY DEDICATED FOR PUBLIC ROAD PURPOSES
 - ★ PUBLIC STREET EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE
 - ▲ AREA OF RIGHT OF ENTRY EASEMENT GRANTED TO THE CITY OF CLOVIS PER DOCUMENT ENTITLED "RIGHT OF ENTRY FOR STREET IMPROVEMENTS ALONG SHAW AVENUE" RECORDED SEPTEMBER 27, 2006 AS DOCUMENT NO. 2006-0209246, D.R.F.C.



 YAMABE & HORN ENGINEERING, INC. 2805 N. BURL AVENUE SUITE 101 FRESNO, CA 93727 TEL (559) 244-3183 FAX (559) 244-3180	Ref. & Rev. PROJECT FILE WATHEN FAMILY BUILDERS TENTATIVE TRACT NO. 62 SHEET 25000000 TENTATIVE MAP LAYOUT	CITY OF CLOVIS Dr. Bc ER YH Job No: 14-142
	ATTACHMENT 5 Scale: As Noted 11/24/14 14-142 YH Map Tentative Map 14-142_TTM.dwg	



- CITY OF CLOVIS - REPORT TO THE PLANNING COMMISSION

TO: Clovis Planning Commission
FROM: Planning and Development Services
DATE: February 12, 2015

SUBJECT: Consider various items related to a 9.81 acre property located at the northeast corner of Shaw and Locan Avenues. Spalding G. & Della Wathen, owners; Wathen Family Builders, applicant; Yamabe & Horn Engineering, Inc., representative.

- a. Consider Approval, Res. 15-___, **R2014-20**, A request to rezone from the R-1-7500 Zone District to the R-1 Zone District.
- b. Consider Approval, Res. 15-___, **TM5176**, A request to approve a tentative tract map for a 34-lot single-family residential subdivision.

ATTACHMENTS:

- Figure 1: Location Map
- Exhibit "A:" Conditions of Approval for R2014-20 & TM5176
- Attachment 1: Draft Rezone Resolution
Draft Tentative Tract Map Resolution
- Attachment 2: Correspondence
Fresno Metropolitan Flood Control District
Clovis Unified School District
Fresno Irrigation District
San Joaquin Valley Air Pollution Control District
- Exhibit "B:" Tentative Tract Map TM5176

CONFLICT OF INTEREST

None.

RECOMMENDATION

Staff recommends that the Planning Commission:

- Approve Rezone R2014-20; and
- Approve Tentative Tract Map TM5176, subject to the conditions of approval attached as Exhibit "A;" and
- Make a finding of consistency that the dedication toward public right-of-way is proportionate to the development being requested; and

EXECUTIVE SUMMARY

The applicant is requesting to rezone approximately 9.81 acres located on the northeast corner of Shaw and Locan Avenues from the R-1-7500 (Single-Family Residential – 7,500 Sq. Ft.) Zone District to the R-1 Zone District. Additionally, the application is requesting a tentative tract map approval for a 34-lot residential subdivision consistent with the Loma Vista Specific Plan and General Plan Land Use Diagram. Approval of this Project would allow the developer to continue processing a residential site plan review and development drawings.

BACKGROUND

- General Plan Designation: Low Residential (2.1 to 4.0 dwelling units per acre)
- Specific Plan Designation: Loma Vista Specific Plan - Low Residential
- Existing Zoning: R-1-7500
- Lot Size: 9.81 Acres
- Current Land Use: Vacant
- Adjacent Land Uses:

North:	Church
East:	Urban Density Residential
South:	Rural Residential/ Agriculture
West:	Urban Density Residential

PROPOSAL AND ANALYSIS

Rezone

The applicant is requesting to rezone approximately 9.81 acres of property from the R-1-7500 Zone District to the R-1 Zone District. The project area is designated Low

Residential (2.1 – 4.0 DU/AC) in both the General Plan Land Use Diagram and Loma Vista Specific Plan which is consistent with the proposed rezone.

Vesting Tentative Map

The project includes a Tentative Tract Map TM5176. The map includes 34 lots and is consistent with the requirements of the Subdivision Map Act.

Circulation and Lot Sizes

The project is accessible from two main entries, one from Shaw Avenue and the other from Locan Avenue. The project will include 50-foot wide and 54-foot wide public streets with standard city sidewalks. The lot sizes range from 6,000 square feet to 12,759 square feet.

Open Space/Paseo System

The applicant will be required to contribute a proportionate share towards the development of a "paseo" system in this quarter section as required by the Loma Vista Specific Plan.

The specific plan identifies an open space trail/paseo system in this portion of the quarter-section where tentative tract map TM5176 is being proposed. The applicant will install a portion of the paseo system through their development as part of their contribution. The proposed paseo system runs predominately adjacent to interior streets and a portion is located along side yards.

Park

The proposed tentative tract map is located in a quarter-section area identified for a neighborhood park. The applicant is required per the Loma Vista Specific Plan to contribute a proportionate share towards improvement of a 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 0.0918 acres or 3,999 square feet toward the neighborhood park.

Thematic Elements

Branding of the Loma Vista Specific Plan with specific elements is essential to create 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.

This project will be required to construct a community gateway at the northeast corner of Shaw and Locan Avenues per the Loma Vista Specific Plan. The exact design, configuration and content of the gateway shall follow the guidelines identified in the Loma Vista Specific Plan.

Public Comments

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

Review and Comments from Agencies

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

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.

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 polices seek to foster more compact development patterns that can reduce the number, length, and duration of auto trips.

Goal 3: Orderly and sustainable outward growth into three Urban Centers with 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:

- A. Compliance with the comprehensive design document
- B. A consistent design theme
- C. A mix of housing types
- D. Adequate supply and distribution of neighborhood parks
- E. 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.

Community Facilities District

The fiscal analysis of the Southeast Urban Center Specific Plan identified possible long-term funding shortfalls in the City's operating and maintenance costs. To address this issue the City of Clovis is implementing 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, 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. The use of CFD's is fairly common among cities in California experiencing high rates of growth during this past decade, 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 tentative map in the CFD.

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, January 28, 2015.

FISCAL IMPACT

None.

REASONS FOR RECOMMENDATION

The proposed rezone is consistent with the General Plan Land Use Diagram and meets the State requirement to maintain a consistent Zone Map in accordance with the City's General Plan. The tentative tract map proposal is consistent with the goals and polices of the General Plan, Loma Vista Specific Plan, and Development Code. Staff therefore recommends that the Planning Commission approve R2014-20 and TM5176, subject to the conditions of approval attached as Exhibit "A."

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

1. The rezoning is in keeping with the intent and purpose of the Zoning Ordinance.
2. The rezoning is compatible with the surrounding properties.
3. The rezoning is consistent with the Clovis General Plan.
4. That Rezone R2014-20 is exempt from CEQA pursuant to Public Resources Code Section 15061(b)(3).
5. That the dedication toward public right-of-way is proportionate to the development being requested.

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

1. The proposed map is consistent with applicable general and specific plans;
2. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
3. The site is physically suitable for the type of development;
4. The site is physically suitable for the proposed density of development;
5. The design of the subdivision or the type of improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;

**FIGURE 1
PROJECT LOCATION MAP**

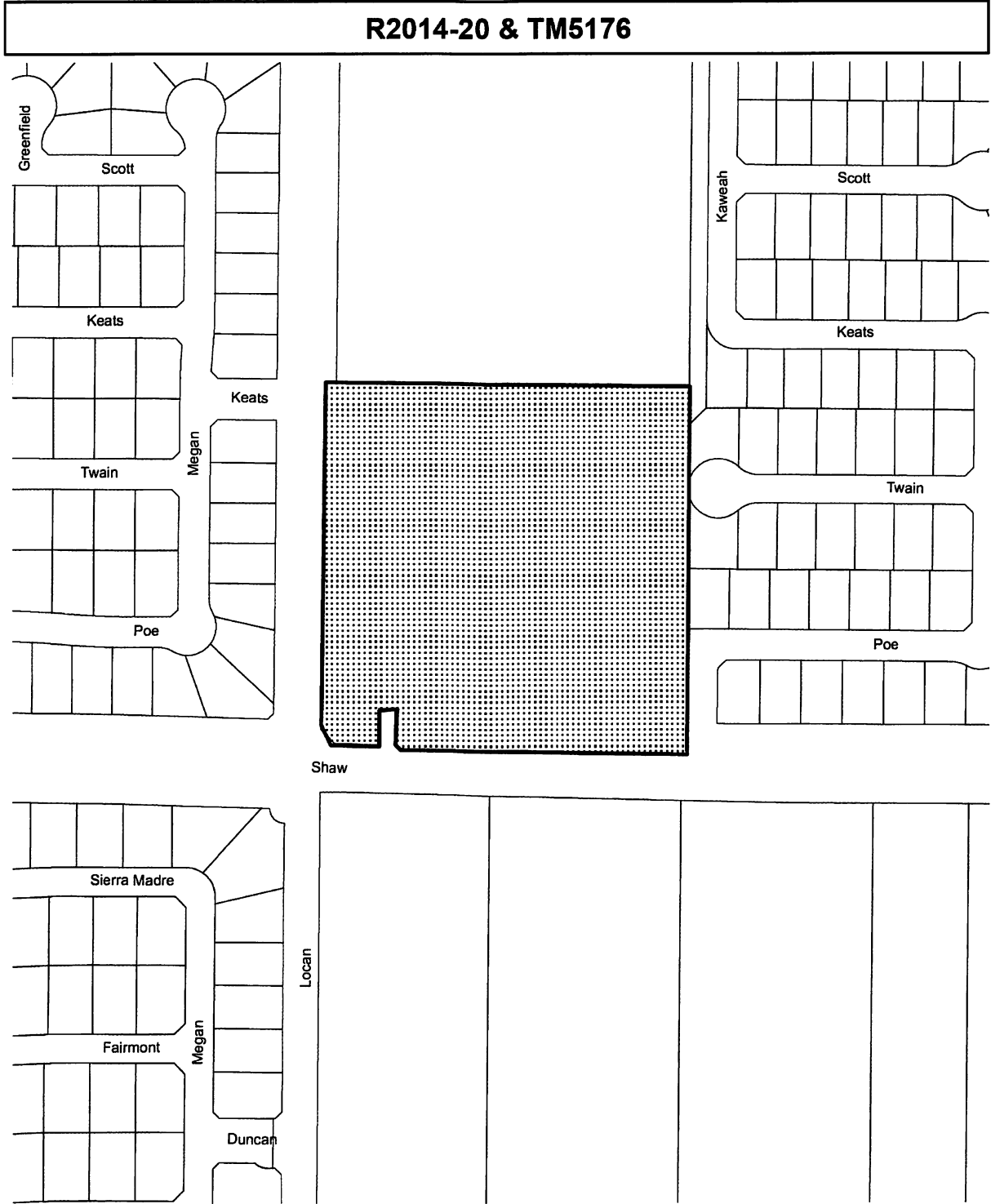


EXHIBIT "A"
Conditions of Approval – R2014-20 & TM5176

Planning Division Conditions

(George González, MPA, Associate Planner – (559) 324-2383)

1. This Project is subject to the development standards of the Loma Vista Specific Plan.
2. Unless otherwise approved through a variance or planned development permit, the minimum garage size for each residence shall be 20'X22' (interior) clear of all obstructions.
3. Maximum building (main structure) height shall not exceed thirty-five (35) feet.
4. Maximum lot coverage is 40% unless specifically approved through a residential site plan review or variance.
5. 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.
6. Rezone R2014-20 approves an R-1 Zoning permitting the development of a single-family product. Density shall be consistent with the Loma Vista Specific Plan and not exceed 4.0 dwelling units per acre.
7. Setbacks shall be consistent with the R-1 Zone District Standards. Front yard setbacks for homes shall vary from 20-24 feet.
8. Any paseos proposed shall be designed to meet the guidelines as established by the City Council, unless otherwise directed by the City Council.
9. The pedestrian ramps at Kaweah and Poe Avenues shall face each other, not in a diagonal direction. This crossing shall provide enhanced paving.
10. The developer shall provide enhanced pedestrian crossings at all points where a paseo crosses a road.
11. The development of the site shall contribute a proportionate share to the development of a "paseo" system as required by the Loma Vista Specific Plan.
12. This Project requires the submittal and approval of a residential site plan review. Specific color and materials of the models, trial/paseo system, walls, fencing will be evaluated. Landscaping, and branding of the Loma Vista theme will also be evaluated.

13. The developer shall provide a community gateway at the northeast corner of Shaw and Locan Avenues consistent with the Loma Vista Specific Plan. The exact design, configuration and content of the gateway shall follow the guidelines identified in the Loma Vista Specific Plan and be reviewed during the residential site plan review process. The community gateway shall include the Loma Vista pillar consistent with the southwest and northwest corners of Shaw and De Wolf Avenues.
14. 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.
15. Placement of houses on individual lots will require the approval of the Planning Director. Front yard setback adjustments will also be required to provide variation in the overall visual aspects. All front yard setbacks shall be measured from the front lot line and varies from 20 to 24 feet, or as approved by the City Planner, unless otherwise allowed under the Residential Site Plan Review process. No more than two homes with a like setback shall be placed side by side.
16. All signs, both on-site and off-site shall comply with the Subdivision Sign Section of the Clovis Development Code.
17. The developer shall construct a six-foot high solid masonry wall along the west (Locan Avenue) and south (Shaw Avenue) property lines of the development.
18. Locan Avenue shall have a 20-foot landscape/pedestrian setback, with an 11-foot parkway, 5-foot sidewalk, and 4-foot landscape setback.
19. Shaw Avenue shall have a 30-foot landscape/pedestrian setback, with an 11-foot parkway, 8-foot sidewalk, and 11-foot landscape setback.
20. The developer shall enter into a Covenant Agreement regarding a "right to farm," for adjacent property owners. Such agreement shall be disclosed to all future home buyers.
21. Upon final recordation of this tentative tract map, it shall be the applicant's responsibility to furnish to the Planning Department a minimum of two scale copies of the original map obtained from the Fresno County Recorder's Office.

22. 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.
23. The applicant shall relay all conditions of approval for Tentative Tract Map TM5176 to all subsequent purchasers of individual lots, if applicable, and/or to subsequent purchasers of this entire tract map development.
24. 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.
25. This tentative map is approved per the attached Exhibit "B" of this report.
26. All transformers for this subdivision shall be located underground.
27. All landscaping (open space and private yards) shall conform the City of Clovis Water Efficient Landscape Ordinance.
28. 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. Homes shall be provided with porches or courtyards and setback garages as required by the Loma Vista Specific Plan.
29. The walkway alignment along the north side of Poe Avenue shall be centered in the paseo system.
30. 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.

POLICE DEPARTMENT CONDITIONS

(John Willow, Department Representative - 324-2400)

31. Construction work shall be limited to the hours set forth in the Clovis Municipal Code. (CMC § 5.18.15.)
32. 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).)
33. Emergency phone numbers for responsible parties shall be kept current during the building phase of the project.
34. 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)

35. Fire apparatus access width shall be determined by measuring from "base of curb" to "base of curb" for roadways that have curbs.
36. The applicant shall install temporary street signs that meet City Temporary Street Sign Standard #35 prior to issuance of building permits within a subdivision.
37. 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 #29 or #30.
38. Any development to this parcel will require a minimum of two (2) points of access to be reviewed and approved by the Clovis Fire Department. All required access drives shall remain accessible during all phases of construction which includes paving, concrete work, underground work, landscaping, perimeter walls.
39. The applicant shall install 4 4 ½" x 2 ½" 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 #7. 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.
40. 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.

CLOVIS UNIFIED SCHOOL DISTRICT CONDITIONS

(Steve Ward, CUSD Representative – 559-327-9000)

41. 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

(Neda Shakeri, FMFCD Representative - 456-3292)

42. 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)

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

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

44. 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
(Mike Harrison, Engineering Division Representative – 324-2365)
(Lisa Koehn, Department Representative – 324-2607)
(Luke Serpa, Solid Waste Division Representative – 324-2614)

Maps and Plans

45. 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.
46. 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.
47. Prior to the initial submittal of the improvement plans, the applicant shall contact Mike Harrison at (559) 324-2365 to setup a coordination meeting (Pre-submittal Meeting).
48. 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) reproducible and (3) copies of the AS-BUILTs to the City.

General

49. 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.
50. 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.
51. 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.
52. 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.
53. 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.
54. The applicant shall contact and address Caltrans requirements.
55. 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.
56. 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.

57. The applicant shall provide and pay for any compaction tests in recompacted areas as a result of failure to pass an original compaction test. Original compaction tests shall be provided and paid for by the City and their locations designated by the City Engineer.
58. 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

59. 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.
60. Shaw Avenue - along development frontage, provide right-of-way acquisition for 82' (exist 10' to 20') north of the centerline and improve with curb, gutter, sidewalk, curb return ramps, street lights, fiber optic conduits, landscaping, irrigation, permanent paving and overlay as necessary to match the existing permanent pavement, and all transitional paving as required.
61. Locan Avenue - along development frontage, provide right-of-way acquisition for 52' (exist 20') east of the centerline and sectionline and improve with curb, gutter, sidewalk, drive approach, 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. For orderly development the applicant shall provide between the north property line and south of Clovis Christian Church, 22' of permanent paving east of the centerline, plus 3' paved swale, and all transitional paving as required.
62. 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, and all transitional paving as needed.
63. If the applicant chooses the Narrower 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, and all transitional paving as needed. The maximum distance for a narrow 50' wide street is 1000' to 54' wide or wider street.

64. Install a traffic signal at Shaw and Locan Avenues and provide the necessary right-of-way for the signal in its ultimate location.
65. Applicant shall provide a dedication for a 10' public utility easement, where applicable, along all frontages or alternate widths approved by the utilities companies.
66. The sideyard side of all corner lots shall have full width sidewalk except where planter strips or meandering sidewalk is proposed.
67. 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.
68. The applicant shall, at the ends of any permanent pavement abutting undeveloped property, install 2" x 6" redwood header boards that shall be placed prior to the street surfacing.
69. Standard barricades with reflectors shall be installed at ends of streets abutting undeveloped property and any other locations to be specified by the City Engineer.

Sewer

70. The applicant shall identify and abandon all septic systems to City standards.
71. 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.
72. The applicant shall install one (1) 4" sewer service house branch to each lot within the tentative tract.

Water

73. The applicant shall identify and abandon all water wells to City standards.
74. 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.

75. 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.

Non Potable Water

76. The applicant shall install non-potable water mains of the sizes and in the locations indicated below. The non-potable water improvements shall be in accordance with the City's master plans and shall match existing improvements. All areas utilizing non-potable 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.

- Shaw Avenue – install 8" main along the property frontage.
- Locan Avenue – install 8" main along the property frontage.
- Paseos, trails, and neighborhood parks – install mains as necessary to serve the paseos, trails, and the neighborhood parks.

Grading and Drainage

77. 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.

78. 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

79. 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 paseos, paseo lights, interior street lights, landscape strips along Shaw and Locan Avenues, and the median islands in Shaw Avenue.
80. 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 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. The two year period may be extended at City's sole option and discretion and upon such conditions as City shall determine.
81. 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, 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.
82. 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.

83. 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.
84. 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.
85. 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.

Miscellaneous

86. 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 at future traffic signal locations shall be installed on approved traffic signal poles, including all conduits and pull boxes. Street lights shall be owned and maintained by local utility providers. Proof of local utility provider's approval shall be provided.

87. 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.
88. A deferment, modification, or waiver of any engineering conditions will require the express written approval of the City Engineer.
89. 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)

90. 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.
91. 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.
92. 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.

93. 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.

RESOLUTIONS

DRAFT
RESOLUTION 15-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS RECOMMENDING APPROVAL TO REZONE APPROXIMATELY 9.81 ACRES FROM THE "R-1-7500" (SINGLE-FAMILY RESIDENTIAL) ZONE DISTRICT TO THE "R-1" (SINGLE-FAMILY RESIDENTIAL) ZONE DISTRICT FOR THE PROPERTY LOCATED ON THE NORTHEAST CORNER OF SHAW AND LOCAN AVENUES

LEGAL DESCRIPTION:

See the attached Exhibit "One."

WHEREAS, Wathen Family Builders, 575 E. Locust, Suite 201, Fresno, CA 93720, has applied for a Rezone R2014-20; and

WHEREAS, this is a request to rezone approximately 9.81 acres from the "R-1-7500" Zone District to the "R-1" (Single-Family Residential) Zone District for the property located on the northeast corner of Shaw and Locan Avenues, in the City of Clovis, California; 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 February 12, 2015, and

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

1. The rezoning is in keeping with the intent and purpose of the Zoning Ordinance.
2. The rezoning is compatible with the surrounding properties.
3. The rezoning is consistent with the Clovis General Plan.
4. That Rezone R2014-20 is exempt from CEQA pursuant to Public Resources Code Section 15061(b)(3).

NOW, THEREFORE, BE IT RESOLVED that the Clovis Planning Commission does recommend approval of Rezone R2014-20.

* * * * *

The foregoing resolution was approved by the Clovis Planning Commission at its regular meeting on February 12, 2015, upon a motion by Commissioner _____, seconded by Commissioner _____, and passed by the following vote, to wit:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 15-____
DATED: February 12, 2015

Vongsavanh Mouanoutoua, Chair

ATTEST: _____
Dwight Kroll, AICP, Secretary

**DRAFT
RESOLUTION 15-___**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING A TENTATIVE TRACT MAP FOR A 34-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION ON 9.81 ACRES OF PROPERTY LOCATED ON THE NORTHEAST CORNER OF SHAW AND LOCAN AVENUES

WHEREAS, Wathen Family Builders, 575 E. Locust, Suite 201, Fresno, CA 93720, has applied for a Tentative Tract Map TM5176; and

WHEREAS, Tentative Tract Map TM5176, was filed on December 16, 2014, 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 February 12, 2015; and

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

- a. The proposed map is consistent with applicable general and specific plans;
- b. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
- c. The site is physically suitable for the type of development;
- d. The site is physically suitable for the proposed density of development;
- e. The design of the subdivision or the type of improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
- f. The design of the subdivision or the type of improvements is not likely to cause serious public health problems; and
- g. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through the use of property within the proposed subdivision.
- h. The dedication toward public right-of-way is proportionate to the development being requested.

WHEREAS, the Planning Commission has given careful consideration to this map on February 12, 2015, and does approve an exemption from CEQA pursuant to Public Resources Code Section 15061 (b)(3) for the project.

NOW, THEREFORE, BE IT RESOLVED that Tentative Tract Map TM5176, attached and labeled Exhibit "B," be and is hereby approved, subject to the attached conditions labeled Exhibit "A."

* * * * *

The foregoing resolution was approved by the Clovis Planning Commission at its regular meeting on February 12, 2015, upon a motion by Commissioner _____, seconded by Commissioner _____, and passed by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 15-__
DATED: February 12, 2015

Vongsavanh Mouanoutoua, Chair

ATTEST: _____
Dwight Kroll, AICP, Secretary

CORRESPONDENCE

ATTACHMENT 2

PUBLIC AGENCY

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

DEVELOPER

TOM TAYLOR, WATHEN FAMILY BUILDERS
575 E. LOCUST AVE., SUITE 201
FRESNO, CA 93720

PROJECT NO: 5176
ADDRESS: NEC SHAW AND LOCAN AVE.
APN: 554-040-19

SENT: 1/21/15

Drainage Area(s)	Preliminary Fee(s)	Development Review Service Charge(s)	Fee(s)	
3G	\$88,181.00	NOR Review	\$435.00	To be paid prior to release of District comments to Public Agency and Developer.
		Grading Plan Review	\$1,213.00	Amount to be submitted with first grading plan submittal.
Total Drainage Fee: \$88,181.00		Total Service Charge: \$1,648.00		

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 2/28/15 based on the site plan submitted to the District on 12/24/14 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. 5176

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 2 of 4

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

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

2. The proposed development shall construct and/or dedicate Storm Drainage and Flood Control Master Plan facilities located within the development or necessitated by any off-site improvements required by the approving agency:
 Developer shall construct facilities as shown on Exhibit No. 1 as "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:
 Grading Plan
 Street Plan
 Storm Drain Plan
 Water & Sewer Plan
 Final Map
 Drainage Report (to be submitted with tentative map)
 Other
 None Required

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

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


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

CL TRACT No. 5176


FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

CL TRACT No. 5176

- 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, 1997 (available at the District Office). A State General Industrial Permit is required for specific types of industries described in the NPDES regulations or by Standard Industrial Classification (SIC) code. The following categories of industries are generally required to secure an industrial permit: manufacturing; trucking; recycling; and waste and hazardous waste management. Specific exemptions exist for manufacturing activities which occur entirely indoors. Permittees are required to: submit a Notice of Intent to be covered and must pay a permit fee to the State Water Resources Control Board, develop and implement a storm water pollution prevention plan, eliminate non-storm water discharges, conduct routine site inspections, train employees in permit compliance, sample storm water runoff and test it for pollutant indicators, and annually submit a report to the State Board.
 - c. The proposed development is encouraged to select and implement storm water quality controls recommended in the Fresno-Clovis Storm Water Quality Management Construction and Post-Construction Guidelines (available at the District Office) to meet the requirements of the State General Permits, eliminate the potential for non-storm water to enter the municipal storm drain system, and where possible minimize contact with materials which may contaminate storm water runoff.
- 8. A requirement of the District may be appealed by filing a written notice of appeal with the Secretary of the District within ten days of the date of this Notice of Requirements.
- 9. The District reserves the right to modify, reduce or add to these requirements, or revise fees, as necessary to accommodate changes made in the proposed development by the developer or requirements made by other agencies.
- 10. X See Exhibit No. 2 for additional comments, recommendations and requirements.



 Debbie Campbell
 Design Engineer



 Robert Villalobos
 Project Engineer

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FRESNO METROPOLITAN FLOOD CONTROL DISTRICT
NOTICE OF REQUIREMENTS

Page 4 of 4

CC:

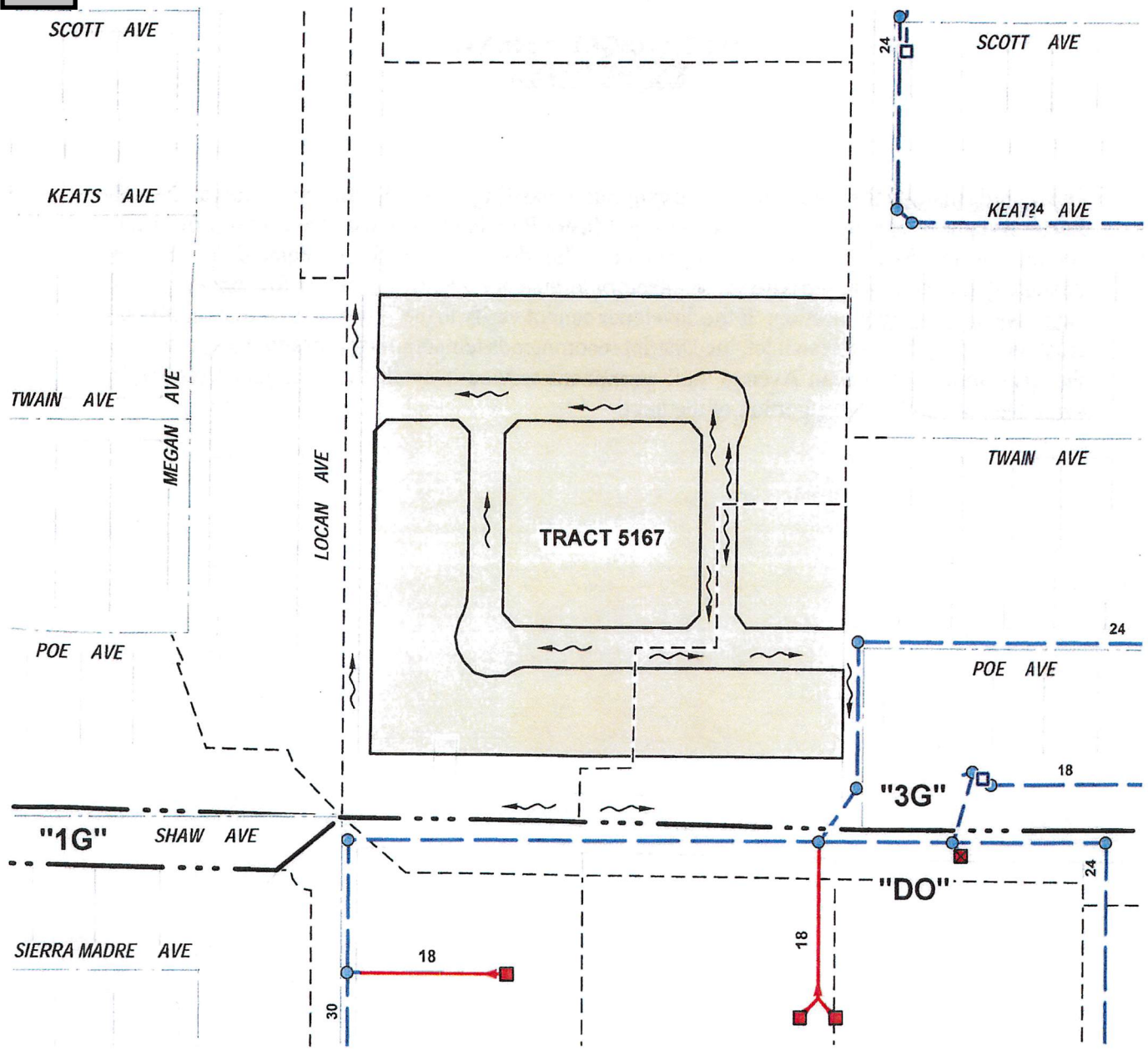
SRI VARADARAJ, YAMABE & HORN ENGINEERING

2985 N. BURL AVE., SUITE 101

FRESNO, CA 93729

CL TRACT No. 5176

NOTE:
THIS MAP IS SCHEMATIC
DISTANCES ARE APPROXIMATE.



LEGEND

- Existing Master Plan Facilities
- Future Master Plan Facilities
- Inlet Boundary
- Direction of Drainage
- Limits of Tract 5167



TRACT 5167

DRAINAGE AREA "3G"

EXHIBIT NO. 1

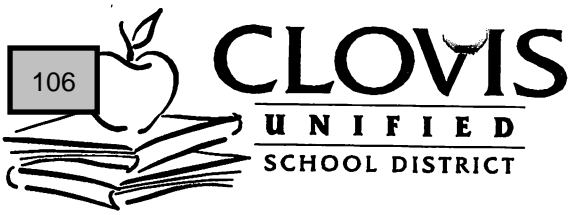


FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

OTHER REQUIREMENTS
EXHIBIT NO. 2

Our records indicate that there may not be continuous existing curb and gutter along the east side of Locan Avenue to convey runoff to the existing Master Plan inlet located on the east side of Locan Avenue at the San Jose Avenue alignment. The developer shall be required to provide documentation and/or improvements satisfactory to the City of Clovis to allow for conveyance of storm water to the inlet location. If the developer cannot verify to the City of Clovis that runoff can reach the exiting Master Plan inlet, the District recommends temporary facilities for that portion of the tract draining to Locan Avenue until permanent service is available. Permanent service is available for the remaining portion of the tract.

Development No. Tract 5167



Received

JAN 6 2015

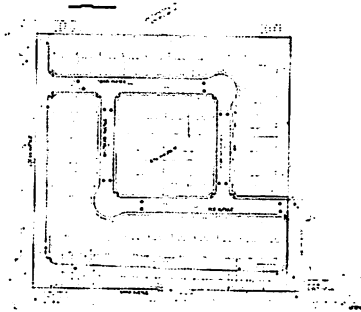
December 29, 2014

City of Clovis
Planning Dept.

George González, MPA, Assoc. Planner
Planning and Development Services Dept.
1033 Fifth St.
Clovis, CA 93612

Governing Board
Sandra A. Bengel
Christopher Casado
Brian D. Heryford
Ginny L. Hovsepian
Richard Lake, C.P.A.
Elizabeth J. Sandoval
Jim Van Volkinburg, D.D.S.

SUBJECT: TM5176
Northeast corner of Shaw and Locan Avenues



Administration
Janet L. Young, Ed.D.
Superintendent
Carlo Prandini, Ph.D.
Deputy Superintendent
Norm Anderson
Associate Superintendent
Barry Jager
Associate Superintendent
Michael Johnston
Associate Superintendent

Dear Mr. González:

The purpose of this letter is to provide school district information relative to the above-referenced 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.

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: *Red Bank Elementary*
Address: *1454 Locan Ave Clovis CA 93619-6901*
Telephone: *(559) 327-7800*
Capacity: *818*
Enrollment: *761(CBEDS enrollment 2014-15 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.

2. Intermediate School Information:

School Name: *Clark Intermediate*
Address: *902 5th St Clovis CA 93612-1399*
Telephone: *(559) 327-1500*
Capacity: *1500*
Enrollment: *1397(CBEDS enrollment 2014-15 school year)*

3. High School Information:

School Name: *Clovis High School*
Address: *1055 Fowler Ave Clovis CA 93611-2099*
Telephone: *(559) 327-1000*
Capacity: *3000*
Enrollment: *2974(CBEDS enrollment 2014-15 school year)*

- 3. 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.
- 4. The District currently levies a school facilities fee of \$3.78 per square foot (as of July 6, 2014) for residential development. The fee is adjusted periodically in accordance with law. New development on the subject property will be subject to the fee in place at the time fee certificates are obtained.

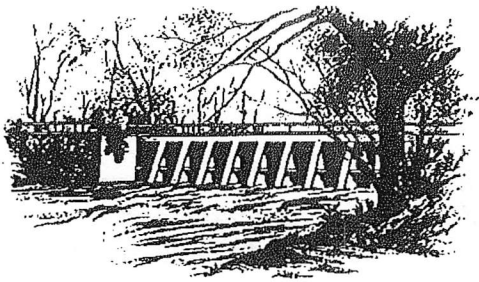
The District hereby requests that the information in this letter be provided by the owner/subdivider to all prospective purchasers of property within the project.

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

Sincerely,



Michael Johnston
Associate Superintendent
Administrative Services



YOUR MOST VALUABLE RESOURCE - WATER

OFFICE OF
FRESNO
IRRIGATION DISTRICT

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

January 13, 2015

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

RE: Tract Map No. 5176 and Rezone Application No. 2014-20
 N/E Shaw and Locan avenues

Dear Mr. Gonzalez:

The Fresno Irrigation District (FID) has reviewed Tract Map No. 5176 and Rezone Application No. 2014-20 where the applicant is requesting approval on a tentative tract map for a 34-lot single-family residential subdivision and a rezone of approximately 9.81 acres of property located at the northeast corner of Shaw and Locan avenues, APN: 554-040-19. 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 Jefferson Canal No. 112 runs westerly and crosses Locan Avenue approximately 1,200 feet south of the subject property, as shown on the attached FID exhibit map. Should this project expand to include any street improvements, utility connections, etc. along Locan Avenue and in the vicinity of the canal crossing, FID requires it review and approval of all plans.
3. For informational purposes, FID's Jefferson Canal No. 112 runs southwesterly and crosses through the intersection of Shaw and DeWolf avenues approximately 1,900 feet east of the subject property, as shown on the attached FID exhibit map. Should this project expand to include any street improvements, utility connections, etc. along Shaw and DeWolf avenues and in the vicinity of the canal crossing, FID requires it review and approval of all plans.

G:\Agencies\Clovis\Tract Map\5176-1.doc

BOARD OF DIRECTORS President RYAN JACOBSEN, Vice-President STEVEN BALLS
 GEORGE PORTER, GREGORY BEBERIAN, JERRY PRIETO JR. General Manager GARY R. SERRATO

Mr. George Gonzalez
Re: TM5176 & R2014-20
January 13, 2015
Page 2 of 2

4. For informational purposes, FID's Brown Canal No. 113 runs southerly crossing Shaw Avenue approximately 2,000 feet east of the subject property, and continues along the east side of DeWolf Avenue as shown on the attached FID exhibit map. Should this project expand to include any street improvements, utility connections, etc. along Shaw and/or DeWolf avenues and in the vicinity of the canal crossing, FID requires it review and approval of all plans.
5. For informational purposes, FID's Dawson Canal No. 114 runs westerly on the south side of Shaw Avenue approximately 1,300 feet west of the subject property, and continues west as shown on the attached FID exhibit map. Should this project expand to include any street improvements, utility connections, etc. along Shaw and in the vicinity of the canal, FID requires it review and approval of all plans.
6. The proposed development may negatively impact local groundwater supplies. The area is currently open land with little to no water demand. Under current circumstances the overall area is experiencing a modest but continuing groundwater overdraft. Should the proposed development result in an increase water demand or a conversion from imported surface water to groundwater, 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.

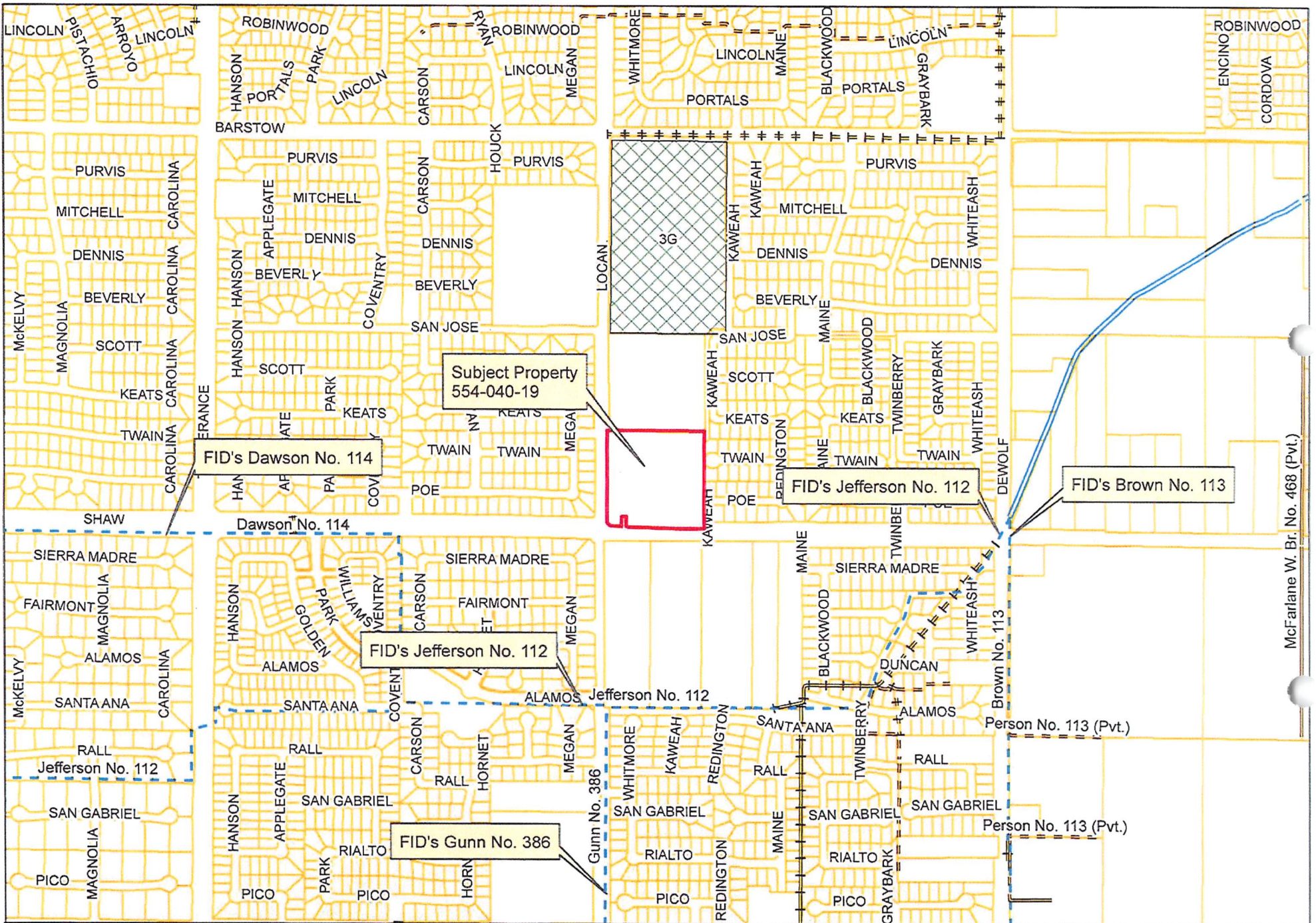
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions please feel free to contact Sen Saetern at (559) 233-7161 extension 7406 or ssaetern@fresnoirrigation.com.

Sincerely,



Laurence Kimura, P.E.
Chief Engineer – Special Projects

Attachment



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

- Legend**
- FID Canal
 - Private Canal
 - Abandoned Canal
 - FID Pipeline
 - Private Pipeline
 - Abandoned Pipeline
 - Stream Group
 - Other-Creek/River
 - Other-Pipeline
 - FID Boundary
 - Railroad
 - Streets & Hwys

Parcel

FMFCD Acquired Basins

FMFCD Proposed Basins

0 395 790 Feet

1 inch = 808.99 feet

8/28/2014

G:\Fid\Water AC10.mxd

RESOLUTION 15-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS APPROVING A TENTATIVE TRACT MAP FOR A 34-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION ON 9.81 ACRES OF PROPERTY LOCATED ON THE NORTHEAST CORNER OF SHAW AND LOCAN AVENUES

WHEREAS, Wathen Family Builders, 575 E. Locust, Suite 201, Fresno, CA 93720, has applied for a Tentative Tract Map TM5176; and

WHEREAS, Tentative Tract Map TM5176, was filed on December 16, 2014, 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 February 12, 2015; and

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

- a. The proposed map is consistent with applicable general and specific plans;
- b. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
- c. The site is physically suitable for the type of development;
- d. The site is physically suitable for the proposed density of development;
- e. The design of the subdivision or the type of improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
- f. The design of the subdivision or the type of improvements is not likely to cause serious public health problems; and
- g. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through the use of property within the proposed subdivision.
- h. The dedication toward public right-of-way is proportionate to the development being requested.

WHEREAS, the Planning Commission has given careful consideration to this map on February 12, 2015, and does approve an exemption from CEQA pursuant to Public Resources Code Section 15061 (b)(3) for the project.


NOW, THEREFORE, BE IT RESOLVED that Tentative Tract Map TM5176, attached and labeled Exhibit "B," be and is hereby approved, subject to the attached conditions labeled Exhibit "A."

* * * * *

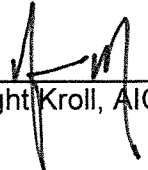
The foregoing resolution was approved by the Clovis Planning Commission at its regular meeting on February 12, 2015, upon a motion by Commissioner Pawlowski, seconded by Commissioner Hinkle, and passed by the following vote, to wit:

- AYES: Commissioners Hatcher, Hinkle, Kallsen, Pawlowski, Chair Mouanoutoua
- NOES: None
- ABSENT: None
- ABSTAIN: None

PLANNING COMMISSION RESOLUTION NO. 15-08
DATED: February 12, 2015



Vongsavanh Mouanoutoua, Chair

ATTEST: 

Dwight Kroll, AICP, Secretary

EXHIBIT "A"
Conditions of Approval – R2014-20 & TM5176

Planning Division Conditions

(George González, MPA, Associate Planner – (559) 324-2383)

1. This Project is subject to the development standards of the Loma Vista Specific Plan.
2. Unless otherwise approved through a variance or planned development permit, the minimum garage size for each residence shall be 20'X22' (interior) clear of all obstructions.
3. Maximum building (main structure) height shall not exceed thirty-five (35) feet.
4. Maximum lot coverage is 40% unless specifically approved through a residential site plan review or variance.
5. 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.
6. Rezone R2014-20 approves an R-1 Zoning permitting the development of a single-family product. Density shall be consistent with the Loma Vista Specific Plan and not exceed 4.0 dwelling units per acre.
7. Setbacks shall be consistent with the R-1 Zone District Standards. Front yard setbacks for homes shall vary from 20-24 feet.
8. Any paseos proposed shall be designed to meet the guidelines as established by the City Council, unless otherwise directed by the City Council.
9. The pedestrian ramps at Kaweah and Poe Avenues shall face each other, not in a diagonal direction. This crossing shall provide enhanced paving.
10. The developer shall provide enhanced pedestrian crossings at all points where a paseo crosses a road.
11. The development of the site shall contribute a proportionate share to the development of a "paseo" system as required by the Loma Vista Specific Plan.
12. This Project requires the submittal and approval of a residential site plan review. Specific color and materials of the models, trial/paseo system, walls, fencing will be evaluated. Landscaping, and branding of the Loma Vista theme will also be evaluated.
13. The developer shall provide a community gateway at the northeast corner of Shaw and Locan Avenues consistent with the Loma Vista Specific Plan. The exact design, configuration and content of the gateway shall follow the guidelines identified in the Loma Vista Specific Plan and be reviewed during the residential site plan review process. The community gateway shall include the Loma Vista pillar consistent with the southwest and northwest corners of Shaw and De Wolf Avenues.
14. 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.

15. Placement of houses on individual lots will require the approval of the Planning Director. Front yard setback adjustments will also be required to provide variation in the overall visual aspects. All front yard setbacks shall be measured from the front lot line and varies from 20 to 24 feet, or as approved by the City Planner, unless otherwise allowed under the Residential Site Plan Review process. No more than two homes with a like setback shall be placed side by side.
16. All signs, both on-site and off-site shall comply with the Subdivision Sign Section of the Clovis Development Code.
17. The developer shall construct a six-foot high solid masonry wall along the west (Locan Avenue) and south (Shaw Avenue) property lines of the development.
18. Locan Avenue shall have a 20-foot landscape/pedestrian setback, with an 11-foot parkway, 5-foot sidewalk, and 4-foot landscape setback.
19. Shaw Avenue shall have a 30-foot landscape/pedestrian setback, with an 11-foot parkway, 8-foot sidewalk, and 11-foot landscape setback.
20. The developer shall enter into a Covenant Agreement regarding a "right to farm," for adjacent property owners. Such agreement shall be disclosed to all future home buyers.
21. Upon final recordation of this tentative tract map, it shall be the applicant's responsibility to furnish to the Planning Department a minimum of two scale copies of the original map obtained from the Fresno County Recorder's Office.
22. 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.
23. The applicant shall relay all conditions of approval for Tentative Tract Map TM5176 to all subsequent purchasers of individual lots, if applicable, and/or to subsequent purchasers of this entire tract map development.
24. 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.
25. This tentative map is approved per the attached Exhibit "B" of this report.
26. All transformers for this subdivision shall be located underground.
27. All landscaping (open space and private yards) shall conform the City of Clovis Water Efficient Landscape Ordinance.
28. 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. Homes shall be provided with porches or courtyards and setback garages as required by the Loma Vista Specific Plan.

29. The walkway alignment along the north side of Poe Avenue shall be centered in the paseo system.

30. 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.

POLICE DEPARTMENT CONDITIONS

(John Willow, Department Representative - 324-2400)

31. Construction work shall be limited to the hours set forth in the Clovis Municipal Code. (CMC § 5.18.15.)
32. 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).)
33. Emergency phone numbers for responsible parties shall be kept current during the building phase of the project.

34. 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)

35. Fire apparatus access width shall be determined by measuring from "base of curb" to "base of curb" for roadways that have curbs.
36. The applicant shall install temporary street signs that meet City Temporary Street Sign Standard #35 prior to issuance of building permits within a subdivision.
37. 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 #29 or #30.
38. Any development to this parcel will require a minimum of two (2) points of access to be reviewed and approved by the Clovis Fire Department. All required access drives shall remain accessible during all phases of construction which includes paving, concrete work, underground work, landscaping, perimeter walls.
39. The applicant shall install 4 4 ½" x 2 ½" 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 #7. 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.
40. 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.

CLOVIS UNIFIED SCHOOL DISTRICT CONDITIONS

(Steve Ward, CUSD Representative – 559-327-9000)

41. 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

(Neda Shakeri, FMFCD Representative - 456-3292)

42. 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)

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

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

44. 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**(Mike Harrison, Engineering Division Representative – 324-2365)****(Lisa Koehn, Department Representative – 324-2607)****(Luke Serpa, Solid Waste Division Representative – 324-2614)****Maps and Plans**

45. 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.
46. 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.
47. Prior to the initial submittal of the improvement plans, the applicant shall contact Mike Harrison at (559) 324-2365 to setup a coordination meeting (Pre-submittal Meeting).
48. 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) reproducible and (3) copies of the AS-BUILTs to the City.

General

49. 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.
50. 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.
51. 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.

52. 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.
53. 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.
54. The applicant shall contact and address Caltrans requirements.
55. 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.
56. 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.
57. The applicant shall provide and pay for any compaction tests in recompacted areas as a result of failure to pass an original compaction test. Original compaction tests shall be provided and paid for by the City and their locations designated by the City Engineer.
58. 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

59. 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.
60. Shaw Avenue - along development frontage, provide right-of-way acquisition for 82' (exist 10' to 20') north of the centerline and improve with curb, gutter, sidewalk, curb return ramps, street lights, fiber optic conduits, landscaping, irrigation, permanent paving and overlay as necessary to match the existing permanent pavement, and all transitional paving as required.
61. Locan Avenue - along development frontage, provide right-of-way acquisition for 52' (exist 20') east of the centerline and sectionline and improve with curb, gutter, sidewalk, drive approach, 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. For orderly development the applicant shall provide between the north property line and south of Clovis Christian Church, 22' of permanent paving east of the centerline, plus 3' paved swale, and all transitional paving as required.

62. 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, and all transitional paving as needed.
63. If the applicant chooses the Narrower 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, and all transitional paving as needed. The maximum distance for a narrow 50' wide street is 1000' to 54' wide or wider street.
64. Install a traffic signal at Shaw and Locan Avenues and provide the necessary right-of-way for the signal in its ultimate location.
65. Applicant shall provide a dedication for a 10' public utility easement, where applicable, along all frontages or alternate widths approved by the utilities companies.
66. The sideyard side of all corner lots shall have full width sidewalk except where planter strips or meandering sidewalk is proposed.
67. 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.
68. The applicant shall, at the ends of any permanent pavement abutting undeveloped property, install 2" x 6" redwood header boards that shall be placed prior to the street surfacing.
69. Standard barricades with reflectors shall be installed at ends of streets abutting undeveloped property and any other locations to be specified by the City Engineer.

Sewer

70. The applicant shall identify and abandon all septic systems to City standards.
71. 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.
72. The applicant shall install one (1) 4" sewer service house branch to each lot within the tentative tract.

Water

73. The applicant shall identify and abandon all water wells to City standards.
74. 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.

75. 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.

Non Potable Water

76. The applicant shall install non-potable water mains of the sizes and in the locations indicated below. The non-potable water improvements shall be in accordance with the City's master plans and shall match existing improvements. All areas utilizing non-potable 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.
- Shaw Avenue – install 8" main along the property frontage.
 - Locan Avenue – install 8" main along the property frontage.
 - Paseos, trails, and neighborhood parks – install mains as necessary to serve the paseos, trails, and the neighborhood parks.

Grading and Drainage

77. 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.
78. 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

79. 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 paseos, paseo lights, interior street lights, landscape strips along Shaw and Locan Avenues, and the median islands in Shaw Avenue.
80. 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 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. The two year period may be extended at City's sole option and discretion and upon such conditions as City shall determine.

81. 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, 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.
82. 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.
83. 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.
84. 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.
85. 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.

Miscellaneous

86. 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 at future traffic signal locations shall be installed on approved traffic signal poles, including all conduits and pull boxes. Street lights shall be owned and maintained by local utility providers. Proof of local utility provider's approval shall be provided.

87. 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.
88. A deferment, modification, or waiver of any engineering conditions will require the express written approval of the City Engineer.
89. 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

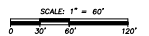
(John Holt, Department Representative – (559) 324-2111)

90. 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.
91. 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.
92. 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.
93. 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.

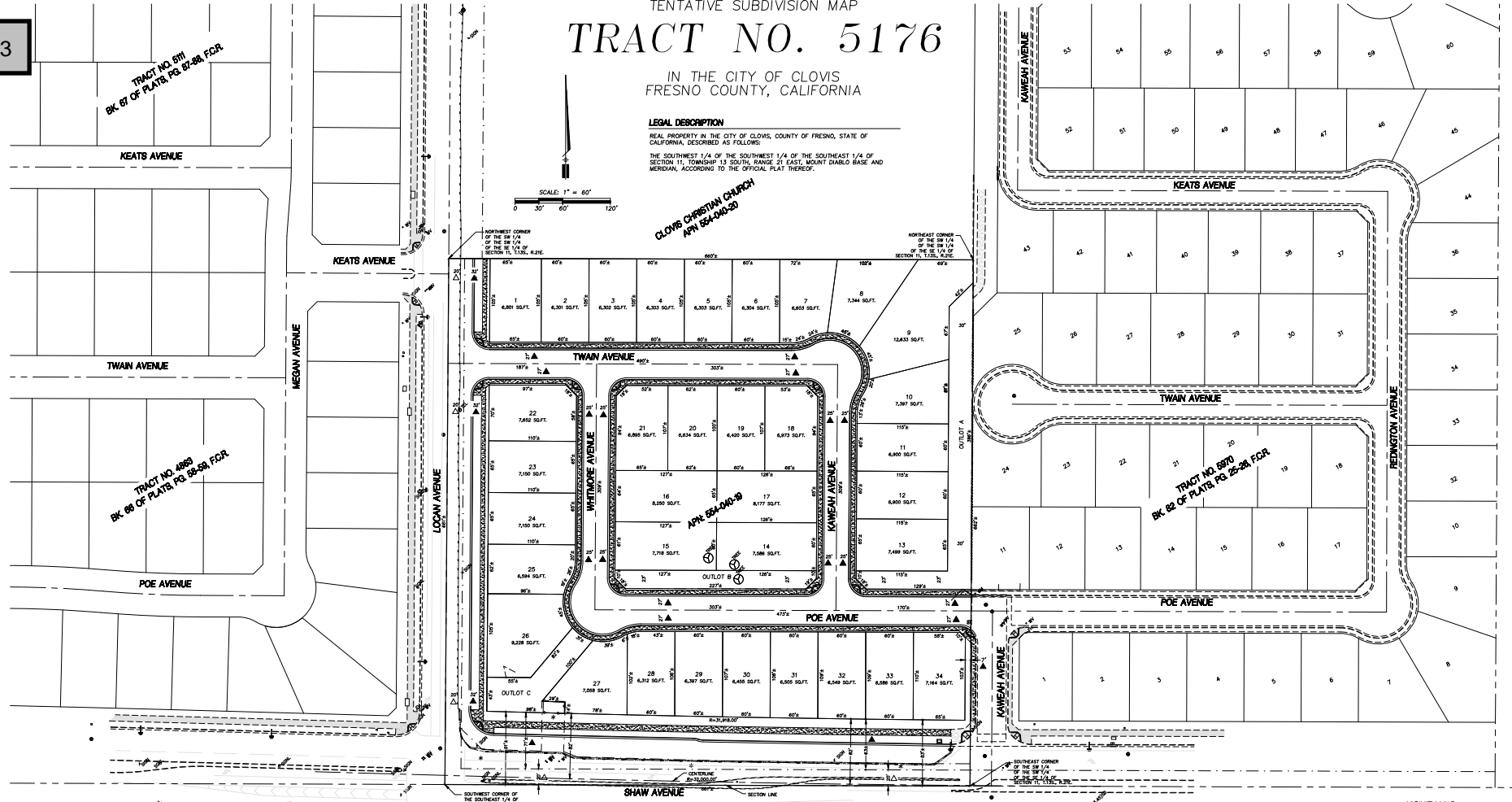
TENTATIVE SUBDIVISION MAP TRACT NO. 5176

IN THE CITY OF CLOVIS
FRESNO COUNTY, CALIFORNIA

LEGAL DESCRIPTION
REAL PROPERTY IN THE CITY OF CLOVIS, COUNTY OF FRESNO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT Diablo BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.



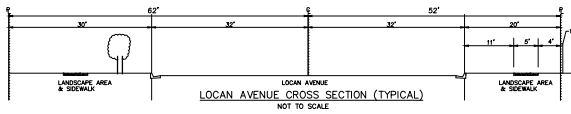
CLOVIS CHRISTIAN CHURCH
APN 584-040-20



TRACT NO. 5111
BK. 67 OF PLATS, PG. 87-88, F.C.R.

TRACT NO. 4889
BK. 68 OF PLATS, PG. 82-83, F.C.R.

TRACT NO. 5070
BK. 62 OF PLATS, PG. 25-26, F.C.R.



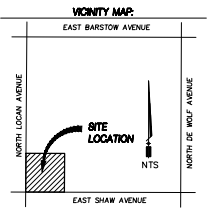
SITE INFORMATION

EXISTING TREES: NONE
EXISTING BUILDINGS: NONE
EXISTING USE: SINGLE FAMILY RESIDENTIAL
PROPOSED USE: SINGLE FAMILY RESIDENTIAL
PROPOSED ZONING: R-1
EXISTING ZONING: R-1
SOURCE OF WATER: CITY OF CLOVIS
SOURCE OF SEWAGE DISPOSAL: CITY OF CLOVIS
SOURCE OF ELECTRICITY: PG&E
SOURCE OF GAS: PG&E
SOURCE OF CABLE TV: COMCAST

SOURCE OF TELEPHONE: AT&T
ASSESSOR'S PARCEL NUMBER: 584-040-19
SITE AREA: 10.034 AC. GROSS, 9.432 AC. NET
OWNER: DELLA WATHEN, 575 E. LOODUST AVE., #201, FRESNO, CA 93720
MINIMUM LOT SIZE: 6,000 SQ.FT.
MAXIMUM LOT SIZE: 12,750 SQ.FT.
AVERAGE LOT SIZE: 7,278 SQ.FT.
DU/AC - NET ACREAGE: 3.41 DU/AC

NOTE:
OUTLOTS A, B, AND C ARE TO BE DEDICATED FOR PUBLIC LANDSCAPE AND TRAIL PURPOSES.

- LEGEND**
- - - - - EXISTING PROPERTY LINE
 - — — — PROPOSED PROPERTY LINE
 - - - - - EXISTING SECTION LINE
 - - - - - EXISTING RIGHT-OF-WAY LINE
 - ===== PROPOSED CONCRETE CURB & GUTTER
 - ===== PROPOSED SIDEWALK
 - △ PREVIOUSLY DEDICATED FOR PUBLIC ROAD PURPOSES
 - ▲ PUBLIC STREET EASEMENT NOW OFFERED FOR DEDICATION FOR PUBLIC USE.
 - * AREA OF RIGHT OF ENTRY EASEMENT GRANTED TO THE CITY OF CLOVIS PER DOCUMENT ENTITLED "TRIGHT OF ENTRY FOR STREET IMPROVEMENTS ALONG SHAW AVENUE", RECORDED SEPTEMBER 27, 2006 AS DOCUMENT NO. 2006-1006046, D.R.F.C.



 YAMABE & HORN ENGINEERING, INC. 2885 N. BURG AVENUE SUITE 101 FRESNO, CA 93727 TEL: (559) 244-3183 FAX: (559) 244-3180	Ref. & Rev. CITY OF CLOVIS PROJECT TITLE WATHEN FAMILY BUILDERS TENTATIVE TRACT NO. 5176 SHEET DESCRIPTION TENTATIVE MAP LAYOUT	DR: EJE CH: SP	177,450 No. 1638 Sheet No. 1
		DATE: 1/18/2016	



CITY of CLOVIS

REPORT TO THE PLANNING COMMISSION

TO: Clovis Planning Commission

FROM: Planning and Development Services

DATE: February 28, 2019

SUBJECT: Consider Approval, Res. 19-___, OA2019-01, A request to amend the Clovis Development Code as a semi-annual cleanup to address typographical, grammatical, and content errors as a result of the 2014 Development Code Update, to make the "Cottage Home Program" available citywide to single-family residential zoning districts where alley access is provided, and to make the necessary modifications to reflect recent changes to State housing law. City of Clovis, applicant.

Staff: Ricky Caperton, AICP, Senior Planner
 Recommendation: Approve

ATTACHMENTS: 1. Draft Resolution
 2. Summary of Modifications
 3. Text Modifications

CONFLICT OF INTEREST

None.

RECOMMENDATION

Staff recommends that the Planning Commission approve Ordinance Amendment OA2019-01, amending the Clovis Development Code per Attachments 2 and 3.

EXECUTIVE SUMMARY

This Ordinance Amendment would modify the Development Code to allow for the City of Clovis "Cottage Home Program" to be available citywide for properties in single-family residential zoning districts having access to an alley, and to allow Accessory Residential Dwelling Units as permitted uses, no longer requiring an Administrative Use Permit. Further, this Ordinance Amendment would modify the Development Code to modify existing sections of the Code for compliance with recent State law regarding the processing of applications

requesting a density bonus for affordable housing.

BACKGROUND

The City's adopted 2014 Development Code included a new format and amendments to the text. During adoption, staff informed the City Council that periodic updates would be necessary to address anticipated corrections as a result of the conversion from the old Code to the new format, as well as to allow for modifications to accommodate new and changing land use types, and development types.

OA2019-01 presents staff's third semi-annual clean-up ordinance amendment request to the Planning Commission to address additional modifications to the Cottage Home Program and the State Mandated Density Bonus requirements.

Cottage Home Program

In 2017, the City of Clovis introduced the "Cottage Home Program" for single-family homes having alley access within the Old Town area. This program currently provides eligible property owners three (3) "cottage home" plan options designed by the City. These plans are provided to the property owner at no cost and provide a streamlined option for adding an accessory dwelling unit. This not only encourages infill development, but also contributes to the revitalization of alleyways, and provides additional housing stock for the City.

The Cottage Home Program was created in part to enhance the public's experience with the City and to provide an option for an expeditious and low-cost path to adding an accessory dwelling unit. The typical process includes a preliminary meeting with City staff to determine eligibility and to see which of the three (3) designs could work on the property based on size and location. This is followed by an on-site visit to the property where planning and building staff will walk the site to observe any potential obstacles and determine the best layout of the cottage home. The final step consists of the property owner submitting for a building permit, and once the permit is issued, beginning construction. Under this program, application to permit issuance takes approximately 10 days. Since program implementation began two years ago, more than 11 homes have either been completed or are in the building process.

Participants in the Cottage Home Program have indicated they intend to use their cottage home for either rental housing, vacation rental housing, or family housing (i.e. in-laws). Therefore, homes developed under this program can provide a diverse mix of housing stock throughout the area.

Based upon the early success of the Cottage Home Program and positive feedback from participating property owners, City staff has received several requests to expand the eligibility boundary beyond the Old Town area and allow for other areas of the City having single-family zoned property with alley access to participate in the program as well.

This proposed Ordinance Amendment provides the necessary modifications to the Development Code to allow for continued success of the Cottage Home Program citywide.

Density Bonus

The California Density Bonus Law is found in the California Government Code Sections 65915 to 65918 and provides developers tools to encourage development of affordable housing, including senior and student housing. Based on a variety of criteria and qualifications, an increase in density may be granted. In addition to an increase in density (i.e. density bonus), other incentives are provided such as reduced parking requirements, and streamlined processing of applications qualifying for a density bonus. Together, the State Density Bonus Law is intended to increase California's affordable housing stock.

The City's current Development Code includes Chapter 9.26, Affordable Housing Incentives: Density Bonus, which reflects the requirements and processing of applications for density bonus. As a result of recent changes to the State's Density Bonus Law, most of the modifications to the Development Code part of this ordinance amendment would be reflected in this Chapter. In general, the proposed modifications are required to ensure the City's Development Code is consistent and in compliance with State law with regards to density bonuses.

PROPOSAL AND ANALYSIS

This proposed ordinance amendment, titled Ordinance Amendment OA2019-01, recommends corrections, additions, modifications, and deletions to the 2014 Development Code, to make the "Cottage Home Program" available citywide to single-family residential zoning districts where alley access is provided. The existing "Cottage Home Program" development standards would remain the same, requiring compliance with Planning Area 7 (PA7) standards contained within the Central Clovis Specific Plan.

Further, this ordinance amendment also provides minor modifications and corrections to Section 9.40.020, Accessory Residential Dwelling Units, revising some of the terminology for consistency and to ensure consistency with State law regarding Accessory Dwelling Units.

In addition, this ordinance amendment includes minor modifications and additions to several sections of Chapter 9.26, Affordable Housing Incentives: Density Bonus, and to Chapter 9.50, Application Filing, Processing, and Fees, to the Development Code to reflect recent changes in State Housing Law regarding density bonuses. These changes are necessary to ensure the Development Code is consistent and compliant with State housing law for the processing of density bonus applications.

This ordinance amendment also adds new terms and definitions to the Development Code.

Summary of Modifications

Attachment 2 shows the summary of modifications and which sections are proposed for modifications, and Attachment 3 shows the detailed modifications to the Development Code and are summarized as follows:

Section 9.10.020, Table 2-2, Allowable Uses and Permit Requirements for Residential Zoning

Districts

- Modification to allow *Accessory Residential Dwelling Units* as a permitted use in single-family Zoning Districts (i.e. A, R-R, R-A, and R-1), not requiring an Administrative Use Permit.
- Modification to add *Tiny Homes* as a permitted use in M-H-P (Mobile Home Park) Zone Districts.

Section 9.10.030, Table 2-3, Residential Zones General Development Standards Requirements by Individual Zoning District

- Modification to footnote number 8 allowing lot coverage to increase to a maximum of fifty percent (50%) when a cottage home is proposed within a Single-Family Residential District under the City's "Cottage Home Program."

Section 9.26.020, Eligibility for bonus, incentives, or concessions

- Addition of two eligible types of projects for density bonus including housing for lower-income student housing, transitional foster youth, disabled veterans, or homeless persons.

Section 9.26.030, Allowed density bonuses

- Addition of an increase in the maximum percentage of density bonus for qualifying lower-income student housing projects, transitional foster youth, disabled veterans, or homeless persons housing. Transitional foster youth, disabled veterans, or homeless person's housing projects are eligible for a density bonus of twenty percent (20%), and lower-income student housing a density bonus of thirty-five percent (35%).

Section 9.26.050, Parking requirements in density bonus projects

- Addition of new parking requirement ratios for qualifying density bonus projects for sites within a specified proximity to public transportation.

Section 9.26.090, Processing of bonus requests

- Addition of language regarding the processing of bonus requests, including information required to be provided to the applicant as well as by the applicant at the time an application is deemed complete. This includes providing information on density bonus eligibility, parking ratio, and incentives and concessions the applicant may be eligible for.

Section 9.40.020, Accessory Residential Dwelling Units

- Removal of the “application procedures” for accessory dwelling units, which are proposed to be permitted by-right in single-family zoning districts, and no longer require an “Administrative Use Permit.”
- Clarification to development standards for accessory dwelling units specifying that there shall be no requirement for a common pathway between the main structure and the accessory dwelling unit.
- Increasing the percentage of allowable floor area for an accessory dwelling unit from 20% to 50% of the primary residence, but not greater than 1,200 square-feet. This modification is for consistency with State accessory dwelling unit law.
- Clarification that two (2) covered off-street parking spaces shall be for the primary residence, and one (1) covered or uncovered off-street parking space shall be for the accessory dwelling unit, except where exempted by State law.
- Modification to allow for shared or separate utilities for the accessory dwelling unit.
- Addition that the accessory dwelling unit is part of the parcel and not intended for sale separate from the primary residence.
- Addition of a new section subsection “Cottage Home Program Standards” specifying where cottage homes will be allowed, application procedures, and developmental standards.

Chapter 9.50, Application Filing, Processing, and Fees

- Addition of a new section, *Section 9.50.100, Streamlined ministerial review*, establishing defined criteria that a project must satisfy in order to be granted a streamlined ministerial review.

Section 9.120.020, Definitions of Land Uses, Specialized Terms, and Phrases

- Addition of a new term and definition, “Cottage Home Program.”
- Addition of a new term and definition, “Tiny Homes.”

California Environmental Quality Act (CEQA)

This project is in substantial conformance with the environmental analysis performed for the 2014 General Plan Update and 2014 Development Code Update. No major revisions will be required with the adopted Environmental Impact Report to accommodate the proposed project, therefore, subject to CEQA Sections 15162, no further environmental review is required for this project.

The City published notice of this public hearing in *The Business Journal* on Monday, February 18, 2019.

REASON FOR RECOMMENDATION

The recommended modifications to the 2014 Development Code described in this staff report, will address necessary modifications to allow for the Cottage Home Program to be available to single-family residential zoned districts citywide as opposed to only within the Old Town area of Clovis. Staff therefore recommends that the Planning Commission approve Ordinance Amendment OA2019-01.

ACTIONS FOLLOWING APPROVAL

This item will continue on to the City Council for final consideration.

FISCAL IMPACT

Potential increased revenue generated by the City’s Transient Occupancy Tax for accessory dwelling units (i.e. Cottage Homes) used as short-term rentals. Short term rentals will be required to maintain a valid Clovis business registration.

NOTICE OF HEARING

The City published notice of this public hearing in *The Business Journal* on Monday, February 18, 2019.

Prepared by: Ricky Caperton, AICP, Senior Planner



Reviewed by: Bryan Araki
City Planner

DRAFT RESOLUTION

ATTACHMENT 1

**DRAFT
RESOLUTION 19-____**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS RECOMMENDING APPROVAL OF AN AMENDMENT TO THE CLOVIS DEVELOPMENT CODE

WHEREAS, the City’s current Development Code was adopted by the Council on October 8, 2014; and

WHEREAS, the City of Clovis, 1033 Fifth Street, Clovis, CA, has applied for an ordinance amendment OA2019-01; and

WHEREAS, a public notice was published in the Business Journal on Friday, February 18, 2019, and

WHEREAS, a duly noticed hearing was held on February 28, 2019, and

WHEREAS, the Planning Commission reviewed the record of proceedings, including the staff reports 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.

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 proposed amendment is internally consistent with other applicable provisions of this Development Code.

NOW, THEREFORE, BE IT RESOLVED 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 accompanying staff report.
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 approved by the Clovis Planning Commission at its regular meeting on February 28, 2019, upon a motion by Commissioner _____, seconded by Commissioner _____, and passed by the following vote, to wit:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 19-_____
DATED: February 28, 2019

Amy Hatcher, Chair

ATTEST: _____
Dwight Kroll, AICP, Secretary

SUMMARY OF MODIFICATIONS

SUMMARY OF MODIFICATIONS

9.10.020	Table 2-2	Revise "Accessory Residential Dwelling Units" in the A, R-R-, R-A, and R-1 as a permitted use, not with an Administrative Use Permit.
9.10.020	Table 2-2	Add "Tiny Homes" in the MHP as a permitted use.
9.10.030	Table 2-3	Revise footnote eight (8) clarification regarding allowable parcel coverage for cottage homes in single-family residential districts.
9.26.020	-(A)(5)-	Add language regarding density bonus eligibility for transitional foster youth, disabled veterans, and homeless persons.
9.26.020	-(A)(6)-	Add language regarding density bonus eligibility for lower income students in student housing developments.
9.26.030	-(A)(5)-	Add language regarding allowable density bonus for transitional foster youth, disabled veterans, and homeless persons.
9.26.030	-(A)(6)-	Add language regarding allowable density bonus for lower income students in student housing developments.
9.26.030	-(A)(7)-	Revised numbering as a result of additional language under new subsections 9.26.030(A)(5) and 9.26.030(A)(6).
9.26.030	-(A)(7)(b)-	Revised numbering as a result of additional language under new subsections 9.26.030(A)(5) and 9.26.030(A)(6).
9.26.050	-(C)-	Add language for adjustments to parking ratios regarding projects eligible for density bonuses.
9.26.050	-(D)-	Revised lettering as a result of additional language under new subsection 9.26.050(C).
9.26.090	-(A)-	Add language regarding required information during the processing of density bonus requests.
9.40.020	-(B)-	Add language to reference accessory "dwelling" units.
9.40.020	-(C)-	Remove section 9.40.020(C) regarding application procedures.
9.40.020	-(D)-	Revise subsection "D" to renumber to subsection "C" after removal of subsection "C" regarding application procedures.
9.40.020	-(C)(2)(a)-	Add language clarifying accessory dwelling unit requirements.
9.40.020	-(C)(5)-	Revise language to increase accessory dwelling unit maximum size from 20% to 50% of main dwelling unit's total floor area or up to one 1,200 square feet from 640 square feet.
9.40.020	-(C)(8)-	Revise language to clarify required number of off-street parking spaces for accessory dwelling units.
9.40.020	-(C)(9)-	Revise language for clarification regarding provisions of utilities and services for accessory dwelling units.
9.40.020	-(C)(10)-	Revise language to clarify that accessory dwelling unit development standards are subject to the standards of the zoning district of the property.
9.40.020	-(C)(11)-	Add language stating that the accessory dwelling unit is not intended for sale separate from the primary residence. This language was inadvertently removed previously and is being added back in.
9.40.020	-(C)(12)-	Renumbering based on changes to earlier sections.
9.40.020	-(E)-	Revise subsection "E" to renumber to subsection "D" after removal of an earlier section.
9.40.020	-(E)-	Add new section 9.40.020(E), Cottage Home Program standards, outlining Cottage Home Program Standards. This new section outlines requirements, such as location, development standards, and procedures for participating in the Cottage Home Program.
9.50.100		Add new subsection 9.50.100, Streamlined Ministerial Review, for consistency and compliance with recent changes to State density bonus housing law. This section outlines the qualifications for eligible projects for streamlining of specific housing projects.
9.120.020	"C"	Add Definition for Cottage Home Program.
9.120.020	"T"	Add Definition for Tiny Home.

TEXT MODIFICATIONS

TEXT MODIFICATIONS

(Text modifications and additions are in **Bold** and **Highlighted**)
 (Text removals are in *Italic*, ~~Strikethrough~~ and **Highlighted**)

9.10.020 Residential district land uses and permit requirements.

- A. Allowed land uses. Table 2-2 identifies the uses of land allowed by this Development Code in each residential zoning district, and the land use permit required to establish each use, in compliance with Division 5 of this title (Land Use/Development Review Procedures).
- B. Prohibited land uses. Any table cell left blank shall mean that the listed land use is prohibited in that specific zoning district.
- C. Site plan review required. Any change of use and all construction activities (e.g., additions, alterations, new construction, reconstruction, or remodeling) shall be subject to site plan review approval as set forth in Chapter 56 of this title (Site Plan Review).
- D. Applicable sections. Where the last column in the tables (“See Section”) includes a section number, the regulations in the referenced section apply to the use; however, provisions in other sections of this Development Code may also apply.
- E. Special review required. A conditional use permit (Chapter 64 of this title, Conditional Use Permits) shall be required for all R-1-PD applications.
- F. Annexation agreement. The uses in Table 2-2 can be modified as set forth in Section [2.1.35](#) using an annexation agreement approved by the City Council.

**TABLE 2-2
 ALLOWABLE USES AND PERMIT REQUIREMENTS
 FOR RESIDENTIAL ZONING DISTRICTS**

Land Use (1)	Permit Requirement by District								
	A	R-R	R-A	R-1 (2)	R-2	R-3	R-4	MHP (4)	See Section
Residential									
Accessory Residential Dwelling Units	P A	P A	P A	P A					9.40.020
Accessory Uses and Structures	P	P	P	P	P	P	P	P	9.40.030

**TABLE 2-2
 ALLOWABLE USES AND PERMIT REQUIREMENTS
 FOR RESIDENTIAL ZONING DISTRICTS**

Land Use (1)	Permit Requirement by District								
	A	R-R	R-A	R-1 (2)	R-2	R-3	R-4	MHP (4)	See Section
Alcohol and Drug Treatment, 6 or Fewer	P	P	P	P	P	P	P	P	9.40.100
Alcohol and Drug Treatment, 7 or More						C			9.40.100
Bed and Breakfast Inns	C	C	C	C	C	C	C		9.40.050
Boarding Home						C			
Caretaker Housing	P	A	A					A	
Community Apartments and Condominiums					C	C	C		9.106.030
Convents and Rectories Connected to Religious Institutions/ Facilities	C	C	C	C	C	C	C		
Day Care Home, Large Child and/or Adult		A	A	A	A	A	A		9.40.080
Residential (Continued)									
Day Care Home, Small Child and/or Adult	P	P	P	P	P	P	P	P	9.40.080
Density Bonuses	P	P	P	P	P	P	P		9.26
Domestic Violence Shelter, Small	A	A	A	A	A	A	A	A	9.40.100
Domestic Violence Shelter, Large	C	C	C	C	C	C	C	C	9.40.100
Employee Housing, 6 or Fewer	P	P	P	P	P				

**TABLE 2-2
 ALLOWABLE USES AND PERMIT REQUIREMENTS
 FOR RESIDENTIAL ZONING DISTRICTS**

Land Use (1)	Permit Requirement by District								
	A	R-R	R-A	R-1 (2)	R-2	R-3	R-4	MHP (4)	See Section
Farmworker Housing, Up to 12 Units or 36 Beds	P	P	P						
Group Care Home, 6 or Fewer	P	P	P	P	P	P	P	P	9.40.100
Group Care Home, 7 or More						C			9.40.100
Home Occupations	P	P	P	P	P	P	P	P	9.58, 9.40.100
Homeless Emergency Shelter, 7 or More						C			9.40.100
Household Pets	P	P	P	P	P	P	P	P	
Kennels, Private	C	C	C						
Manufactured Housing	P	P	P	P	P	P	P	P	
Mobile Housing								P	
Mobile Home Parks								P	
Modular Housing								P	
Residential (Continued)									
Multifamily Housing					P	P	P		Dev. Stds.
Parolee/Probationer Home						C			9.40.100
Senior Assisted Living Facility	C	C	C	C	C	C	C	C	
Sober Living Homes, 6 or Fewer	P	P	P	P	P	P	P	P	9.40.100
Sober Living Homes, 7 to 16						P			9.40.100

**TABLE 2-2
 ALLOWABLE USES AND PERMIT REQUIREMENTS
 FOR RESIDENTIAL ZONING DISTRICTS**

Land Use (1)	Permit Requirement by District								
	A	R-R	R-A	R-1 (2)	R-2	R-3	R-4	MHP (4)	See Section
Sober Living Homes, Greater Than 16						C			9.40.100
Supportive Housing	P	P	P	P	P	P	P	P	9.40.100
Tiny Homes								P	9.40.100
Transitional Housing	P	P	P	P	P	P	P	P	9.40.100
Single-Family Housing	P	P	P	P	P				
Single-Room Occupancy							C		
Temporary Uses	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	9.60.020
Nonresidential									
Airports and Aircraft Landing Facilities	C	C							
Broadcasting Studios		C	C						
Cemeteries	C	C	C	C	C	C	C	C	
Nonresidential (Continued)									
Medical Services – Hospitals	C	C	C	C	C	C	C	C	
Medical Services – Extended Care	C	C	C	C	C	C	C	C	
Mini-Storage Facilities	C	C	C	C	C	C	C	C	9.40.130
Natural Gas and Electric Facilities	C	C	C	C	C	C	C	C	
Public Utility Facilities	C	C	C	C	C	C	C	C	

**TABLE 2-2
 ALLOWABLE USES AND PERMIT REQUIREMENTS
 FOR RESIDENTIAL ZONING DISTRICTS**

Land Use (1)	Permit Requirement by District								
	A	R-R	R-A	R-1 (2)	R-2	R-3	R-4	MHP (4)	See Section
Solar and Wind Generation Facilities	C	C	C	C	C	C	C	C	
Swimming Schools			C						
Agricultural and Open Space Resources									
Agricultural Uses	P	P	P						
Agricultural Products, Sale of When Grown on Site	A								
Animal Keeping (Farm) Including Apiaries	P	A	A						9.40.040
Community Gardens	P	P	A	A	A	A	A	A	
Open Space	P	P	P	P	P	P	P	P	
Plant Nurseries	A	A	A						
Rifle, Pistol or Archery Ranges	C	C	C						
Agricultural and Open Space Resources (Continued)									
Stables, Commercial	C	C							
Stables, Private	P	P	P	P (2)					9.40.040(C)
Education, Public Assembly, and Recreation									
Assembly/Meeting Facilities	C	C	C	C	C	C	C	C	
Churches	C	C	C	C	C	C	C	C	
Golf Courses, Country Clubs	C	C	C	C	C	C	C	C	

**TABLE 2-2
 ALLOWABLE USES AND PERMIT REQUIREMENTS
 FOR RESIDENTIAL ZONING DISTRICTS**

Land Use (1)	Permit Requirement by District								
	A	R-R	R-A	R-1 (2)	R-2	R-3	R-4	MHP (4)	See Section
Libraries, Public				C	C	C	C		
Parks and Public Playgrounds	P	P	P	P	P	P	P	P	
Schools, Private		C	C	C	C	C	C	C	
Schools, Public	P	P	P	P	P	P	P	P	
Stadia	C	C	C	C	C	C	C		
Trails	P	P	P	P	P	P	P	P	
Communication Facilities									
Satellite Dish Antennas	A	A	A	A	A	A	A	A	9.42
Radio and TV Antennas and Transmission	C	C	C	C	C	C	C	C	9.42
Wireless Telecommunication Facilities	A	A	A	A	A	A	A	A	9.42

Key to Permit Requirements

Symbol	Applicable Process	See Chapter
P	Permitted use (3) (5)	9.56
A	Administrative use permit required (5)	9.62
C	Conditional use – Conditional use permit required (5)	9.64
<i>Blank</i>	Use not allowed	

Notes:

- (1) See Division 8 of this title for definitions of the land uses listed. See Section [9.08.030](#) (Allowable land uses and permit requirements).
 - (2) This column combines all R-1 sub-zones because the allowable land uses are identical, except for the allowance for horses to be maintained in the R-1-AH District on parcels of eighteen thousand (18,000) square feet or larger.
 - (3) A Director approved site plan review shall be required. See Chapter 56 of this title.
 - (4) For purposes of Table 2-2, the MHP District also includes the R-1-MHP District when installed in compliance with State law (Government Code Section [65852.3](#)).
 - (5) If there is a conflict between Table 2-2 and any written description setting forth allowable uses and permit requirements elsewhere in this title, the written description shall supersede unless it is clearly evident from the record that the contrary was intended. Disputes shall be resolved pursuant to Chapter 2 of this title.
- (§ 2, Ord. 14-13, eff. October 8, 2014; § 1 (Atts. 1, 2), Ord. 16-07, eff. May 4, 2016; § 1 (Att. 4), Ord. 17-03, eff. April 19, 2017; § 1 (Att. 3), Ord. 18-19, eff. September 5, 2018)

**TABLE 2-3
 RESIDENTIAL ZONES GENERAL DEVELOPMENT STANDARDS
 REQUIREMENTS BY INDIVIDUAL ZONING DISTRICT (Continued)**

Development Feature	R-1-A, R-1-AH	R-1-B
Minimum Parcel Size	18,000 sq. ft.	12,000 sq. ft.
Minimum Parcel Width	110 ft. (25)	80 ft. (2)
Minimum Corner Parcel Width	110 ft.	90 ft.
Minimum Reverse Corner Parcel Width	110 ft.	95 ft.
Minimum Parcel Depth	130 ft.	110 ft. (4)

**TABLE 2-3
 RESIDENTIAL ZONES GENERAL DEVELOPMENT STANDARDS
 REQUIREMENTS BY INDIVIDUAL ZONING DISTRICT (Continued)**

Development Feature	R-1-A, R-1-AH	R-1-B
Setbacks Required (1)		
Front	35 ft. (5)	35 ft. (5)
Side (Each)	10 ft.	5 ft. (with an aggregate side setback of 20 ft. minimum) (6)
Street Side	25 ft.	20 ft.
Reversed Corner (Street Side)	25 ft.	25 ft.
Rear	20 ft.	20 ft.
Accessory Structures	See Section 9.40.030 (Accessory uses and structures)	
Maximum Parcel Coverage (8)	30%	35%
Main Structure – Maximum Height (Whichever Is Less)	35 ft./2-1/2 stories	
Accessory Structure – Maximum Height (Whichever Is Less)	See Section 9.40.030 (Accessory uses and structures)	
Antennas, Vertical	See Chapter 42 of this title (Wireless Telecommunication Facilities)	
Fences/Walls/Hedges	See Section 9.24.060 (Fences, walls, and hedges)	
Off-Street Parking	See Chapter 32 of this title (Parking and Loading Standards)	

**TABLE 2-3
RESIDENTIAL ZONES GENERAL DEVELOPMENT STANDARDS
REQUIREMENTS BY INDIVIDUAL ZONING DISTRICT (Continued)**

Development Feature	R-1-A, R-1-AH	R-1-B
Satellite Antennas	See Chapter 42 of this title (Wireless Telecommunication Facilities)	

Notes:

- (1) No main structure shall be erected within fifty feet (50') of a railroad or freeway right-of-way. A garage or carport shall be located not less than twenty feet (20') from any street frontage where the garage door or carport opening faces the street.
- (2) A parcel siding a freeway right-of-way shall have a minimum width of one hundred feet (100'). A cul-de-sac parcel shall have a minimum street frontage width of sixty feet (60').
- (3) A parcel with a rear property line abutting a freeway right-of-way shall have a minimum parcel depth of one hundred fifty feet (150').
- (4) A parcel abutting a major or secondary highway shall have a minimum parcel depth of one hundred twenty feet (120').
- (5) A cul-de-sac parcel shall have a minimum front setback of twenty-five feet (25').
- (6) A parcel developed with a side setback of less than seven feet (7'), additions may be made at a side setback no less than five feet (5').
- (7) A corner parcel shall have a minimum street side setback of twenty feet (20'), and reverse corner parcel shall have a minimum street side setback of twenty-five feet (25').
- (8) In Single-Family Residential Districts, the Director, through a single-family residential site plan review application, may grant a bonus parcel coverage provision of up to forty-five percent (45%) in compliance with subsection B of this section (Bonus parcel coverage). A particular model home, existing home or subdivision may be granted bonus parcel coverage based upon the provision of amenities identified in subsection B of this section. **In Single-Family Residential Districts where a cottage home is proposed through the City's "Cottage Home Program," maximum parcel coverage shall be (50%) per Planning Area 7 (PA7) development standards.**
- (25) A parcel siding a freeway right-of-way shall have a minimum width of one hundred feet (100'). A cul-de-sac parcel in the R-1-B District shall have a minimum street frontage width of sixty feet (60'). A cul-de-sac

parcel in the R-1-AH District shall have a minimum street frontage width of eighty feet (80'). A cul-de-sac parcel in the R-1-A District shall have a minimum street frontage width of fifty feet (50').

- (26) A reverse corner lot may process an administrative use permit (AUP) to construct side yard fencing at five feet (5') from property line. There shall be a ten-foot (10') corner cut off for sight distance visibility.

**TABLE 2-3
 RESIDENTIAL ZONES GENERAL DEVELOPMENT STANDARDS
 REQUIREMENTS BY INDIVIDUAL ZONING DISTRICT (Continued)**

Development Feature	R-1-C	R-1 (13)
Minimum Parcel Size	9,000 sq. ft.	6,000 sq. ft.
Minimum Parcel Width	70 ft. (10)	60 ft. (2)
Minimum Corner Parcel Width	80 ft.	65 ft.
Minimum Reverse Corner Parcel Width	85 ft.	70 ft.
Minimum Parcel Depth	110 ft. (11)	100 ft. (4)
Setbacks Required (1)		
Front	25 ft. 20 ft. (reverse corner parcels)	20 ft.
Side (Each)	5 ft. (with an aggregate side setback of 14 ft. minimum) (6)	15% of the lot with total combined setback, 5 ft. each side
Street Side	15 ft. (7)(12)	10 ft. (12)
Reversed Corner (Street Side)	20 ft. (12)	15 ft. (12)
Rear	20 ft.	

**TABLE 2-3
 RESIDENTIAL ZONES GENERAL DEVELOPMENT STANDARDS
 REQUIREMENTS BY INDIVIDUAL ZONING DISTRICT (Continued)**

Development Feature	R-1-C	R-1 (13)
Accessory Structures	See Section 9.40.030 (Accessory uses and structures)	
Maximum Parcel Coverage (8)	40%	40%
Main Structure – Maximum Height (Whichever Is Less)	35 ft./2-1/2 stories	
Accessory Structure – Maximum Height (Whichever Is Less)	See Section 9.40.030 (Accessory uses and structures)	
Antennas, Vertical	See Chapter 42 of this title (Wireless Telecommunication Facilities)	
Fences/Walls/Hedges	See Section 9.24.060 (Fences, walls, and hedges)	
Off-Street Parking	See Chapter 32 of this title (Parking and Loading Standards)	
Satellite Antennas	See Chapter 42 of this title (Wireless Telecommunication Facilities)	

Notes:

- (1) No main structure shall be erected within fifty feet (50') of a railroad or freeway right-of-way. A garage or carport shall be located not less than twenty feet (20') from any street frontage where the garage door or carport opening faces the street.
- (2) A parcel siding a freeway right-of-way shall have a minimum width of one hundred feet (100'). A cul-de-sac parcel shall have a minimum street frontage width of fifty feet (50').
- (3) A parcel with a rear property line abutting a freeway right-of-way shall have a minimum parcel depth of one hundred fifty feet (150').

- (4) A parcel abutting a major or secondary highway shall have a minimum parcel depth of one hundred twenty feet (120').
- (5) A cul-de-sac parcel shall have a minimum front setback of twenty-five feet (25').
- (6) A parcel developed with a side setback of less than seven feet (7'), additions may be made at a side setback no less than five feet (5').
- (7) A corner parcel shall have a minimum street side setback of twenty feet (20'), and reverse corner parcel garages shall have a minimum street side setback of twenty-five feet (25').
- (8) In Single-Family Residential Districts, the Director, through a single-family residential site plan review application, may grant a bonus parcel coverage provision of up to forty-five percent (45%) in compliance with subsection B of this section (Bonus parcel coverage). A particular model home, existing home or subdivision may be granted bonus parcel coverage based upon the provision of amenities identified in subsection B of this section. **In Single-Family Residential Districts where a cottage home is proposed through the City's "Cottage Home Program," the maximum parcel coverage shall be (50%) per Planning Area 7 (PA7) development standards.**
- (10) A parcel siding a freeway right-of-way shall have a minimum width of ninety feet (90'). A cul-de-sac parcel shall have a minimum street frontage width of sixty feet (60').
- (11) A parcel abutting a major or secondary highway shall have a minimum parcel depth of one hundred twenty feet (120'). A parcel with a rear property line abutting a freeway right-of-way shall have a minimum parcel depth of one hundred thirty feet (130').
- (12) Private garages located in the side yard area and facing the street shall be set back at least twenty feet (20') from the property line on the side street and not less than five feet (5') from the rear property line of a reversed corner lot.
- (13) The minimum parcel area shall be designated on the Zone Map for each R-1 parcel, as follows: R-1-24,000 sq. ft.; R-1-18,000 sq. ft.; R-1-9,500 sq. ft.; R-1-7,500 sq. ft.; R-1-6,000 sq. ft.
- (25) A parcel siding a freeway right-of-way shall have a minimum width of one hundred feet (100'). A cul-de-sac parcel in the R-1-B District shall have a minimum street frontage width of sixty feet (60'). A cul-de-sac parcel in the R-1-AH District shall have a minimum street frontage width of eighty feet (80'). A cul-de-sac parcel in the R-1-A District shall have a minimum street frontage width of fifty feet (50').
- (26) A reverse corner lot may process an administrative use permit (AUP) to construct side yard fencing at five feet (5') from property line. There shall be a ten-foot (10') corner cut off for sight distance visibility.

**TABLE 2-3
 RESIDENTIAL ZONES GENERAL DEVELOPMENT STANDARDS
 REQUIREMENTS BY INDIVIDUAL ZONING DISTRICT (Continued)**

Development Feature	R-1-MH	R-1-MD
Minimum Parcel Size	Determined by sub-zone classification	4,500 sq. ft.
Minimum Parcel Width	60 ft. (14)	50 ft.
Minimum Corner Parcel Width	65 ft.	50 ft.
Minimum Reverse Corner Parcel Width	70 ft.	50 ft.
Minimum Parcel Depth	100 ft.	90 ft.
Setbacks Required (1)		
Front	20 ft.	15 ft. (20 ft. to face of garage door)
Side (Each)	5 ft.	5 ft.
Street Side	10 ft.	10 ft.
Reversed Corner (Street Side)	15 ft. (12)(26)	15 ft. (12)(26)
Rear	20 ft.	15 ft.
Accessory structures	See Section 9.40.030 (Accessory uses and structures)	
Maximum Parcel Coverage	40% (8)	45%

**TABLE 2-3
 RESIDENTIAL ZONES GENERAL DEVELOPMENT STANDARDS
 REQUIREMENTS BY INDIVIDUAL ZONING DISTRICT (Continued)**

Development Feature	R-1-MH	R-1-MD
Main Structure – Maximum Height (Whichever Is Less)	35 ft./2-1/2 stories	
Accessory Structure – Maximum Height (Whichever Is Less)	See Section 9.40.030 (Accessory uses and structures)	
Antennas, Vertical	See Chapter 42 of this title (Wireless Telecommunication Facilities)	
Fences/Walls/Hedges	See Section 9.24.060 (Fences, walls, and hedges)	
Off-Street Parking	See Chapter 32 of this title (Parking and Loading Standards)	
Satellite Antennas	See Chapter 42 of this title (Wireless Telecommunication Facilities)	

Notes:

- (1) No main structure shall be erected within fifty feet (50') of a railroad or freeway right-of-way. A garage or carport shall be located not less than twenty feet (20') from any street frontage where the garage door or carport opening faces the street.

- (8) In Single-Family Residential Districts, the Director, through a single-family residential site plan review application, may grant a bonus parcel coverage provision of up to forty-five percent (45%) in compliance with subsection B of this section (Bonus parcel coverage). A particular model home, existing home or subdivision may be granted bonus parcel coverage based upon the provision of amenities identified in subsection B of this section. **In Single-Family Residential Districts where a cottage home is proposed through the City's "Cottage Home Program," the maximum parcel coverage shall be (50%) per Planning Area 7 (PA7) development standards.**

- (12) Private garages located in the side yard area shall be set back at least twenty feet (20') from the property line on the side street and not less than five feet (5') from the rear property line of a reversed corner lot.
- (14) A parcel siding a freeway right-of-way shall have a minimum width of eighty feet (80').
- (25) A parcel siding a freeway right-of-way shall have a minimum width of one hundred feet (100'). A cul-de-sac parcel in the R-1-B District shall have a minimum street frontage width of sixty feet (60'). A cul-de-sac parcel in the R-1-AH District shall have a minimum street frontage width of eighty feet (80'). A cul-de-sac parcel in the R-1-A District shall have a minimum street frontage width of fifty feet (50').
- (26) A reverse corner lot may process an administrative use permit (AUP) to construct side yard fencing at five feet (5') from property line. There shall be a ten-foot (10') corner cut off for sight distance visibility.

9.26.020 Eligibility for bonus, incentives, or concessions.

In order to be eligible for a density bonus and other incentives or concessions as provided by this chapter, a proposed housing development shall comply with the following requirements and shall satisfy all other applicable provisions of this Development Code, except as provided by Section [9.26.040](#) (Allowed incentives or concessions).

A. Resident requirements. A housing development proposed to qualify for a density bonus shall be designed and constructed so that it includes at least any one of the following:

- 1. Ten percent (10%) of the total number of proposed units are for lower-income households, as defined in Health and Safety Code Section [50079.5](#);
- 2. Five percent (5%) of the total number of proposed units are for very low-income households, as defined in Health and Safety Code Section [50105](#);
- 3. The project is a senior citizen housing development as defined in Civil Code Sections [51.3](#) and [51.12](#), or is a mobile home park that limits residency based on age requirements for housing older persons in compliance with Civil Code Sections [798.76](#) and [799.5](#); ~~or~~
- 4. Ten percent (10%) of the total dwelling units in a common interest development as defined in Civil Code Section ~~[4100.1351](#)~~ are for persons and families of moderate income, as defined in Health and Safety Code Section [50093](#); provided, that all units in the development are offered to the public for purchase;
- 5. Ten percent (10%) of the total number of proposed units of housing for transitional foster youth, as defined in Section [66025.9](#) of the Education Code, disabled veterans, as defined in Section [18541](#) of the Government Code, or homeless persons, as defined in the federal [McKinney-Vento Homeless Assistance Act](#); or**

6. Twenty percent (20%) of the total number of proposed units for lower income students in a student housing development that meets the requirements, as defined by Government Code Section 65915.

B. Applicant selection of basis for bonus. For purposes of calculating the amount of the density bonus in compliance with Section [9.26.030](#) (Allowed density bonuses), the applicant who requests a density bonus shall elect whether the bonus shall be awarded on the basis of subsection (A)(1), (2), (3), or (4) of this section.

C. Bonus units shall not qualify a project. A density bonus granted in compliance with Section [9.26.030](#) (Allowed density bonuses) shall not be included when determining the number of housing units that is equal to the percentages required by subsection A of this section.

D. Minimum project size to qualify for density bonus. The density bonus provided by this chapter shall be available only to a housing development of five (5) or more dwelling units.

E. Condominium conversion projects. A condominium conversion project for which a density bonus is requested shall comply with the eligibility and other requirements in Government Code Section [65915.5](#). (§ 2, Ord. 14-13, eff. October 8, 2014)

9.26.030 Allowed density bonuses.

The Director shall determine the amount of a density bonus allowed in a housing development in compliance with this section. For the purposes of this chapter, “density bonus” means a density increase over the otherwise maximum allowable residential density under the applicable Land Use Plan designation and zoning district as of the date of application by the applicant to the City.

A. Density bonus. A housing development that complies with the eligibility requirements in Section [9.26.020](#)(A)(1), (2), (3), or (4) shall be entitled to density bonuses as follows, unless a lesser percentage is proposed by the applicant:

- 1. Bonus for units for lower-income households. A housing development that is eligible for a bonus in compliance with the criteria in Section [9.26.020](#)(A)(1) (ten percent (10%) of units for lower-income households) shall be entitled to a density bonus calculated as follows:

**TABLE 3-5
BONUS FOR LOWER-INCOME
HOUSEHOLDS**

Percentage of Low-Income Units Proposed	Percentage of Density Bonus
10	20
11	21.5
12	23
13	24.5
14	26
15	27.5
17	30.5
18	32
19	33.5
20	35

2. Bonus for units for very low-income households. A housing development that is eligible for a bonus in compliance with the criteria in Section [9.26.020\(A\)\(2\)](#) (five percent (5%) of units for very low-income households) shall be entitled to a density bonus calculated as follows:

**TABLE 3-6
BONUS FOR VERY LOW-INCOME
HOUSEHOLDS**

Percentage of Very Low-Income Units Proposed	Percentage of Density Bonus
5	20
6	22.5
7	25
8	27.5
9	30
10	32.5
11	35

- 3. Bonus for senior citizen development. A housing development that is eligible for a bonus in compliance with the criteria in Section [9.26.020\(A\)\(3\)](#) (senior citizen development or mobile home park) shall be entitled to a density bonus of twenty percent (20%).

- 4. Bonus for moderate-income units in common interest development. A housing development that is eligible for a bonus in compliance with the criteria in Section [9.26.020\(A\)\(4\)](#) (ten percent (10%) of units in a common interest development for persons and families of moderate income) shall be entitled to a density bonus calculated as follows:

**TABLE 3-7
BONUS FOR MODERATE-INCOME
HOUSEHOLDS**

Percentage of Moderate-Income Units Proposed	Percentage of Density Bonus
10	5
11	6
12	7
13	8
14	9
15	10
16	11
17	12
18	13
19	14
20	15
21	16
22	17
23	18

**TABLE 3-7
BONUS FOR MODERATE-INCOME
HOUSEHOLDS**

Percentage of Moderate-Income Units Proposed	Percentage of Density Bonus
24	19
25	20
26	21
27	22
28	23
29	24
30	25
31	26
32	27
33	28
34	29
35	30
36	31
37	32

**TABLE 3-7
BONUS FOR MODERATE-INCOME
HOUSEHOLDS**

Percentage of Moderate-Income Units Proposed	Percentage of Density Bonus
38	33
39	34
40	35

5. Bonus for transitional foster youth, disabled veterans, or homeless persons development. A housing development that is eligible for a bonus in compliance with the criteria in Section 9.26.020(A)(5) (transitional foster youth, disabled veterans, or homeless persons) shall be entitled to a density bonus of twenty percent (20%).

6. Bonus for lower income students in a student housing development. A housing development that is eligible for a bonus in compliance with the criteria in Section 9.26.020(A)(6) (lower income students in student housing) shall be entitled to a density bonus of thirty five percent (35%).

75. Density bonus for land donation. When an applicant for a tentative map, parcel map, or other residential development approval donates land to the City in compliance with this subsection, the applicant shall be entitled to a density bonus for the entire development, as follows; provided, that nothing in this subsection shall be construed to affect the authority of the City to require a developer to donate land as a condition of development.

- a. Basic bonus. The applicant shall be entitled to a fifteen percent (15%) increase above the otherwise maximum allowable residential density under the applicable Land Use Plan designation and zoning district for the entire development, and an additional increase as follows:

**TABLE 3-8
BASIC BONUSES**

Percentage of Very Low-Income Units Proposed	Percentage of Density Bonus
10	15
11	16
12	17
13	18
14	19
15	20
16	21
17	22
18	23
19	24
20	25
21	26
22	27
23	28

**TABLE 3-8
BASIC BONUSES**

Percentage of Very Low-Income Units Proposed	Percentage of Density Bonus
24	29
25	30
26	31
27	32
28	33
29	34
30	35

b. Increased bonus. The increase identified in the table above shall be in addition to any increase in density required by subsections (A)(1) through (4) of this section up to a maximum combined mandated density increase of thirty-five percent (35%) if an applicant seeks both the increase required in compliance with this subsection (A)(75), as well as the bonuses provided by subsections (A)(1) through (4) of this section.

c. Eligibility for increased bonus. An applicant shall be eligible for the increased density bonus provided by this subsection if all of the following conditions are met:

- (1) The applicant donates and transfers the land no later than the date of approval of the final map, parcel map, or residential development application.
- (2) The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low-income households in an amount not less than ten percent (10%) of the number of residential units of the proposed development.

(3) The transferred land is at least one acre in size, or of sufficient size to permit development of at least forty (40) units; has the appropriate Land Use Plan designation; is appropriately zoned for development as affordable housing; and is or will be served by adequate public facilities and infrastructure. The land shall have appropriate zoning and development standards to make the development of the affordable units feasible.

(4) No later than the date of approval of the final map, parcel map, or of the residential development, the transferred land shall have all of the permits and approvals, other than building permits, necessary for the development of the very low-income housing units on the transferred land, except that the City may subject the proposed development to subsequent design review to the extent authorized by Government Code Section [65583.2\(i\)](#) if the design is not reviewed by the City before the time of transfer.

(5) The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with Section [9.26.070](#) (Continued availability), which shall be recorded on the property at the time of dedication.

(6) The land is transferred to the City or to a housing developer approved by the City. The City may require the applicant to identify and transfer the land to the approved housing developer.

(7) The transferred land shall be within the boundary of the proposed development or, if the City agrees, within one-quarter (1/4) mile of the boundary of the proposed development.

B. Greater or lesser bonuses. The City may choose to grant a density bonus greater than provided by this section for a development that meets the requirements of this section, or grant a proportionately lower density bonus than required by this section for a development that does not fully comply with the requirements of this section.

C. Density bonus calculations. The calculation of a density bonus in compliance with this section that results in fractional units shall be rounded up to the next whole number, as required by State law. For the purpose of calculating a density bonus, the residential units do not have to be based upon individual subdivision maps or parcels.

D. Requirements for amendments or discretionary approval. The granting of a density bonus shall not be interpreted, in and of itself, to require a General Plan amendment, Zoning Map amendment, or other discretionary approval.

E. Location of bonus units. The developer may locate density bonus units in the housing project in other than the areas where the units for the lower-income households are located. (§ 2, Ord. 14-13, eff. October 8, 2014)

9.26.050 Parking requirements in density bonus projects.

A. Applicability. This section applies to a development that meets the requirements of Section [9.26.020](#) (Eligibility for bonus, incentives, or concessions) but only at the request of the applicant. An applicant may request additional parking incentives or concessions beyond those provided in this section in compliance with Section [9.26.040](#) (Allowed incentives or concessions).

B. Number of parking spaces required.

- 1. At the request of the applicant, the City shall require the following vehicular parking ratios for a project that complies with the requirements of Section [9.26.020](#) (Eligibility for bonus, incentives, or concessions), inclusive of handicapped and guest parking:
 - a. Zero (0) to one bedroom: One on-site parking space.
 - b. Two (2) to three (3) bedrooms: Two (2) on-site parking spaces.
 - c. Four (4) and more bedrooms: Two and one-half (2-1/2) on-site parking spaces.
- 2. If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number.

C. Adjustments to parking requirements.

1. If the development includes the maximum percentage of low-income or very low income units and is located within one-half mile of a major transit stop, as defined in Section 21155 of the Public Resources Code, and there is unobstructed access to the major transit stop from the development, the parking ratio, inclusive of handicapped and guest parking, shall not exceed 0.5 spaces per bedroom.

2. At the request of the applicant, if the development consists solely of rental units, exclusive or a manager’s unit or units, with an affordable housing cost to lower income families, as provided in Section 50052.5 of the Health and Safety Code, the following shall apply:

a. If the development is located within one-half mile of a major transit stop, as defined in Section [21155](#) of the Public Resources Code, and there is unobstructed access to the major transit stop from the development, the ratio shall not exceed 0.5 spaces per unit.

b. If the development is a for-rent housing development for individuals who are 62 years of age or older that complies with Sections [51.2](#) and [51.3](#) of the Civil Code, the ratio shall not exceed 0.5 spaces per unit. The development shall have either paratransit

service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.

c. If the development is a special needs housing development, as defined in Section 51312 of the Health and Safety Code, the ratio shall not exceed 0.3 spaces per unit. The development shall have either paratransit service or unobstructed access, within one-half mile, to fixed bus route service that operates at least eight times per day.

DC. Location of parking. For purposes of this section, a development may provide on-site parking through uncovered parking, but not through on-street parking. (§ 2, Ord. 14-13, eff. October 8, 2014)

9.26.090 Processing of bonus requests.

A. Permit requirement. A request for a density bonus and other incentives and concessions shall be evaluated and decided through administrative use permit approval in compliance with Chapter 62 of this title (Administrative Use Permits). In addition to the requirements of Chapter 62 of this title for the processing of Administrative Use Permits, the following procedures shall also apply for the processing of applications requesting a density bonus to determine eligibility:

- 1. Density Bonus Eligibility. Once an application has been deemed complete, the applicant shall be informed in writing the amount of density bonus allowed as calculated by Section 9.26.030;
- 2. Density Bonus Parking Ratio. If a modified parking ratio is requested by the applicant pursuant to Government Code Section 65915 as part of the density bonus, the applicant shall be notified of the applicable parking ratio(s) as required by Section 9.26.050; and
- 3. Incentives, Concessions, or Waivers Eligibility. If incentives, concessions, and or waivers are requested by the applicant pursuant to Government Code Section 65915, and outlined in Section 9.26.040, the applicant shall be notified of whether the application contains the adequate information necessary for the Department to make a determination as to those incentives, concessions, or waivers or reductions of development standards.

B. Findings for approval. In addition to the findings required by Section 9.62.050 for the approval of an administrative use permit, the approval of a density bonus and other incentives and concessions shall require that the review authority first make all of the following additional findings:

- 1. The residential development will be consistent with the General Plan and any applicable specific plan, except as provided by this chapter for density bonuses, and other incentives and concessions;
- 2. The approved number of dwellings can be accommodated by existing and planned infrastructure capacities;

- 3. Adequate evidence exists to indicate that the project will provide affordable housing in a manner consistent with the purpose and intent of this chapter; and
- 4. There are sufficient provisions to guarantee that the units will remain affordable for the required time period. (§ 2, Ord. 14-13, eff. October 8, 2014)

9.40.020 Accessory residential dwelling units.

A. Purpose and intent. This section is intended to meet the requirements of State law in providing for accessory dwelling units (aka second dwelling units) in single-family and multifamily residential zoning districts. This section is not intended to regulate multi-generational units where access is not restricted between areas of the residence.

B. Zone districts. Accessory **dwelling** units may be allowed in any residential zoning district subject to the normal requirements of the district. Second residential units (aka accessory **dwelling** units) shall not be allowed in nonresidential zoning districts where residential uses are not allowed.

~~C. Application procedures. Applications for permits for accessory units shall be filed with the Department in compliance with the following procedures:~~

~~1. Filing. Applications for permits for accessory units shall be filed by the owner(s) of the subject property.~~

~~2. Form and content. Application shall be made to the Director on forms furnished by the Department and shall state that the owner(s) will occupy one of the dwelling units on the subject property. The application shall also include the following:~~

~~a. Documentation of ownership;~~

~~b. A floor plan of the structure showing both the present layout of the main dwelling unit and the proposed accessory unit, including any changes to the main dwelling unit. The floor plan shall be drawn at one-quarter inch (1/4") to the foot;~~

~~c. A scaled site plan showing the outline of the structure, distances to the property lines, required parking spaces, and driveways.~~

~~3. Filing fees. When an application for a special permit is filed, a fee in compliance with the City's Fee Schedule shall be paid for the purpose of defraying the costs incidental to the processing of the application.~~

~~4. Action on application. Within forty (40) days after the formal acceptance of a completed application, the Director shall approve or disapprove the application.~~

~~5. Expiration of permits. Special permits for accessory units shall automatically expire upon the transfer of ownership of the main dwelling. Purchasers of homes which contain special permits for~~

~~accessory units shall reapply for a new permit before allowing continued use and occupancy of the accessory unit.~~

~~6. Declarations of covenants. Upon receiving a special permit, the owner(s) shall file on the subject property a declaration of covenants with the County Recorder's Office which states that the right to have an accessory unit expires upon the transfer of ownership and any continued use and occupancy of the accessory unit shall require a new permit.~~

CD. Developmental standards. An "accessory dwelling unit in conjunction with owner-occupied single-family dwelling unit" may be constructed or installed and maintained, but only in compliance with the following developmental standards:

- 1. The accessory dwelling unit shall be a complete, separate housekeeping dwelling unit that can be isolated from the main dwelling unit.
- 2. Only one accessory dwelling unit shall be created on a single-family parcel.
 - a. The accessory dwelling unit may be a detached freestanding structure, an above-garage unit, but only with a detached garage, or an attached portion of the main dwelling unit. **There shall be no requirement for a common pathway between the main structure and the accessory dwelling unit.**
 - b. See Section [9.40.030\(D\)](#) (Accessory uses and structures: Detached structures), for development standards related to detached accessory structures.
- 3. The accessory dwelling unit shall have at least two hundred fifty (250) square feet of floor space and shall not have more than one bedroom.
- 4. Both attached and detached accessory dwelling units shall be architecturally compatible, having similar materials and style of construction, with the main dwelling unit and shall be consistent with the established character of the adjoining residential neighborhood.
- 5. All accessory dwelling units shall clearly be subordinate or smaller when compared with the main dwelling unit. In no case shall any accessory dwelling unit's floor area be more than **fifty twenty** percent ~~(20%)~~ **(50%)** of the main dwelling unit's total floor area, including garages and other nonliving areas, nor greater than ~~six hundred forty (640)~~ **one thousand two hundred (1,200)** square feet, whichever is less.
- 6. The floor area of the accessory dwelling unit together with the floor area of the main dwelling unit shall not cause the parcel coverage for the subject site to exceed the maximum allowable lot coverage for the applicable zoning district.

7. The design and size of the accessory dwelling unit shall conform to all applicable standards of the building, health, and other codes adopted by the City. (Refer to Table 2-3 in Division 2 of this title for residential lot coverage requirements.)

8. At least ~~three (3)~~ **two (2)** covered off-street parking spaces shall be available for **the main dwelling unit.** ~~use by the owner-occupants and accessory dwelling unit occupants.~~ **One (1) additional covered or uncovered off-street parking space shall be available for the accessory dwelling unit, except where exempted by State law.** Off-street parking spaces shall be in compliance with Chapter 32 of this title (Parking and Loading Standards).

9. Adequate provisions shall be made for the water and sewer service and drainage generated by the occupancy of the accessory dwelling unit as determined by the City Engineer. The accessory dwelling unit ~~shall~~ **can either** have **shared or** separate services for electric, gas, sewer, and water.

10. The development of the accessory dwelling unit shall be subject to the property development standards for ~~main dwelling units for~~ the subject zoning district in which the accessory dwelling unit is located.

11. The accessory dwelling unit is part of the parcel and is not intended for sale separate from the primary residence and may be rented.

~~11.~~ **12.** A main dwelling unit shall exist on the subject site and be occupied before an accessory dwelling unit may be authorized in compliance with this section.

~~D.-E.~~ Special provisions for the Central Clovis Specific Plan Area. Notwithstanding the provisions of this section, duplex dwelling units shall be allowed as replacement housing, in compliance with this section and the Central Clovis Specific Plan.

1. The special duplex provisions of this subsection shall only apply to areas within the Central Clovis Specific Plan boundaries which are west of Clovis Avenue (that is, the area bounded by Sierra, Clovis, Barstow, and Minnewawa Avenues) and designated for Medium Density Single-Family Residential use.

2. The allowable number of new duplex dwelling units created under the provisions of this subsection shall not exceed the overall density limitations for Medium Density Single-Family Residential uses, which is one dwelling unit for each six thousand (6,000) square feet of parcel area on a block-by-block basis.

3. A minimum parcel area of seven thousand five hundred (7,500) square feet (e.g., a typical fifty-foot (50') by one-hundred-fifty-foot (150') downtown parcel) shall be required to qualify for the specific duplex provisions of this subsection.

- 4. Parcel coverage, setbacks, and other site design and building standards for the R-1 Single-Family Residential Districts shall apply to ensure that new duplex dwelling units are visually compatible with the established character of the adjoining residential neighborhood.
- 5. Off-street parking, second-story limitations, and structure design shall be considered as part of the special permit review process to maintain the visual character of the area. Normally two (2) covered parking spaces shall be required for each unit.
- 6. A site plan review shall be required for duplex dwelling units, in compliance with Chapter 50 of this title (Application Filing, Processing, and Fees), and a public hearing shall be held in compliance with Chapter 88 of this title (Public Hearings). (§ 2, Ord. 14-13, eff. October 8, 2014)

E. Cottage Home Program standards. This section provides locational and general standards for the Cottage Home Program which is allowed in the applicable residential areas, subject to the following criteria and standards:

- 1. A cottage home shall be a second permanent dwelling that is accessory to a primary dwelling on the same site.
- 2. Zone districts. A cottage home is allowed in single-family residential zoning district areas in which an alley is located. A cottage home unit shall not be allowed in nonresidential zoning districts where residential uses are not allowed. Development standards for the cottage home shall be compliant with the standards stated in Planning Area 7 (PA7) of the Central Clovis Specific Plan.
- 3. Application procedures. Applications for the Cottage Home Program shall be filed with the Department. The Cottage Home Program has designated plans that are available to parcels that have access to an alley within the Clovis city limits.
- 4. Developmental standards. A cottage home shall be constructed in compliance with the following developmental standards:
 - a. The cottage home unit shall have access through an alley way.
 - b. Only one cottage home unit shall be created on a single-family parcel.
 - c. The cottage home shall be built using plans provided by the city.
 - d. One (1) off-street (covered or uncovered) parking space shall be provided for the cottage home unit with the dimensions of ten by twenty feet (10' X 20'), except where exempted by State law.

- e. Adequate provisions shall be made for the water and sewer service and drainage generated by the occupancy of the cottage home unit as determined by the City Engineer. The cottage home can have either shared or separate services for electric, gas, sewer, and water.
- f. Single family lots with an alley-facing detached unit shall receive the same address as the main house with a letter “B” as the address unit portion of the unique address designator.

**Chapter 9.50
APPLICATION FILING, PROCESSING, AND FEES**

9.50.100 Streamlined ministerial review.

In order to be eligible for a streamlined ministerial review provided by this section, a proposed housing development shall satisfy all of the following planning standards:

A. Eligible projects.

- 1. Development is a multifamily housing development that contains two or more residential units;
- 2. Development is located in an urban area that has already been seventy five percent (75%) developed for urban uses, and is zoned for residential use or residential mixed-use, with at least two-thirds of the square footage of the development designated for residential use;
- 3. Applicant commits to record a land use restriction providing that lower income units shall remain available at affordable housing costs for a period not less than forty-five 45 years for rental and owned units;
- 4. The development must satisfy both of the following:
 - a. The development occurs in a locality that the California Department of Housing and Community Development (HCD) has determined has not met its share of regional housing needs, by income category, for that reporting period; and
 - b. The development is subject to mandating a minimum percentage of below market rate housing based on:
 - (1) locality failing to submit its latest production report to HCD, or the production report reflects that fewer than the number of required of above moderate-income housing permits have been issued, and the project dedicates at least ten percent (10%) of its housing units to be affordable to households making below eighty percent (80%) of the area median income for projects of more than ten (10) units; or
 - (2) the City’s production report reflects that fewer than the number of required of very low or low-income housing permits have been issued, and the project dedicates fifty percent (50%) of its total number of units to housing affordable to households making below eighty percent (80%) of the area median income.;

- 5. Development must be consistent with objective zoning standards, objective subdivision standards, and objective design review standards (i.e. not subjective standards);
- 6. Cannot be located on property within any of the following areas: a coastal zone, prime farmland, wetlands, very high fire hazard severity zone, hazardous waste site, delineated earthquake fault zone, flood plain, floodway, community conservation plan area, habitat for protected species, under a conservation easement, or located on a qualifying mobile home site.
- 7. Development cannot be located: (a) on land that requires the demolition of affordable housing, (b) a site that was previously used for housing that was demolished within 10 years, (c) a site that would require the demolition of a historic structure.
- 8. Developer must: (a) certify that the development is either a public work, or if not entirely a public work, that prevailing wages are paid to construction workers employed; or (b) for developments meeting specific numbers of units for applications approved of within certain time periods, a certified skilled and trained workforce shall be used to complete the development.
- 9. The development does not involve a parcel that is subject to the California Subdivision Map Act, unless: (a) the development has or will receive financing or funding by means of a low-income housing tax credit and subject to prevailing wage requirements, or (b) the development is subject to the requirement that prevailing wages be paid, and a skilled and trained workforce;
- 10. The development is not upon an existing parcel of land that is governed under the Mobile Home Residency Law, the Recreational Vehicle Park Occupancy Law, the Mobile Home Parks Act, or the Special Occupancy Parks Act. (Gov. Code § 65913.4(a).)

9.120.020 Definitions of land uses, specialized terms, and phrases.

The following definitions are in alphabetical order:

C. Definitions, "C."

Cafeteria. Similar to a restaurant, but where the food (e.g., prepared dishes, sandwiches, desserts, and/or beverages) is selected while the patron proceeds in a line. After choosing and paying for the selected items, the patron proceeds with the food to an open table of choice.

California Environmental Quality Act (CEQA). California Public Resources Code Section [21000](#) et seq. and Administrative Code Section 15000 et seq.

Campgrounds. Limited facilities providing designated tent areas, tables, fireplaces or grills, and assigned parking spaces, and related structures for the overnight enjoyment of the public within an open space setting.

Car washes. See “motor vehicle washes.”

Card rooms. A portion of a gaming club in which legal gambling and/or gaming is conducted.

Cargo container. Any box-shaped container which is no less than thirty-two (32) square feet in area, of metal construction, enclosed on all sides including top and bottom, and was originally designed and built to store cargo for shipping by truck, train, or boat.

Carpet sales. See “furniture stores, furnishings and equipment stores.”

Carport. See “garage or carport.”

Caretaker housing. A structure constructed to residential occupancy standards in compliance with the California Building Code that is accessory to a nonresidential use and required for security or twenty-four (24) hour care or supervision.

Catering services. Preparation and delivery of food and beverages for off-site consumption without provision for on-site pickup or consumption.

Cemeteries. A facility used, or intended to be used, for the burial of the dead and dedicated for that purpose, including columbariums, crematoriums, mausoleums, and mortuaries when operated in conjunction with, and within the boundaries of, the subject premises.

Chemical products manufacturing. Manufacturing establishments that produce or use basic chemicals and establishments creating products predominantly by chemical processes. Establishments classified in this major group manufacture three (3) general classes of products: (1) basic chemicals including acids, alkalis, salts, and organic chemicals; (2) chemical products to be used in further manufacture, including dry colors, plastic materials, pigments, and synthetic fibers; and (3) finished chemical products to be used for ultimate consumption including drugs, cosmetics, and soaps; or to be used as materials or supplies in other industries, including paints and fertilizers.

Child day care facilities. Facilities that provide care and supervision of minor children for periods of less than twenty-four (24) hours. These facilities include the following, all of which are required to be licensed by the California State Department of Social Services:

1. **Child day care center.** A commercial or nonprofit child day care facility not operated as a small or large family day care home. Includes infant centers, preschools, and extended day care facilities. These may be operated in conjunction with a business, school, or religious facility, or as an independent land use.

2. Large day care home. A day care facility located in a single-family residence where an occupant of the residence provides care and supervision for nine (9) to fourteen (14) children. Children under the age of ten (10) years who reside in the home count as children served by the day care facility.

3. Small day care home. A day care facility located in a single-family residence where an occupant of the residence provides care and supervision for eight (8) or fewer children. Children under the age of ten (10) years who reside in the home count as children served by the day care facility.

Church. Shall mean a permanently located building, commonly used for religious worship.

City. The City of Clovis, State of California, referred to in this Development Code as the "City."

City Council. The Clovis City Council, referred to in this Development Code as the "Council."

City Engineer. The City of Clovis employee designated by the City Manager as the City Engineer.

Cleaning and dyeing shops. See "personal services."

Clinic. A place for group medical services not involving the overnight housing of patients.

Clothing products. Manufacturing establishments producing clothing, and fabricating products by cutting and sewing purchased textile fabrics, and related materials including leather, rubberized fabrics, plastics, and furs. Custom tailors and dressmakers not operating as a factory and not located on the site of a clothing store ("retail stores, general merchandise") are instead included under "personal services." See also "leather products" and "textile products."

Clothing stores. See "retail stores, general merchandise."

Coffee shops/kiosks. A retail business selling ready-to-eat food and/or beverages for on- or off-premises consumption. These include eating establishments where customers are served from a walk-up ordering counter for either on- or off-premises consumption ("counter service"); and establishments where customers are served food at their tables for on-premises consumption ("table service"), that may also provide food for take-out.

Coffee – specialty sales. See "retail stores, general merchandise."

College. An educational institution offering advanced instruction in any academic field beyond the secondary level, not including trade schools or business colleges. Also see "schools – colleges and universities."

College trade. A school offering preponderant instruction in the technical, commercial, or trade skills, such as real estate schools, business colleges, electronic schools, automotive and aircraft technicians schools,

and similar commercial establishments operated by nongovernmental organizations. Also see “schools – specialized education and training.”

Commercial blood bank. See “medical services – clinics and laboratories.”

Commercial vehicle. A commercial vehicle larger than a one-ton capacity used for business purposes.

Commission. See “Planning Commission.”

Communication equipment building. Buildings housing electrical and mechanical equipment necessary for the conduct of a public communications business, with or without the necessary personnel.

Community apartments and condominiums. A development in which an undivided interest in the land is coupled with the right of exclusive occupancy of an apartment or condominium located on the land.

Community/culture centers. Multi-purpose meeting and recreational facilities typically consisting of one or more meeting or multi-purpose rooms, kitchen and/or outdoor barbecue facilities, that are available for use by various groups for activities including meetings, parties, receptions, dances, etc.

Computer integrated systems design. Establishments engaged in planning and designing computer systems that integrate computer hardware, software, and communication technologies. The hardware and software components of the system may be provided by these establishments or companies as part of integrated services or may be provided by third parties or vendors. These establishments often install the system and train and support uses of the system. Illustrative examples include:

- CAD/CAM systems design
- Computer-aided engineering
- Computer systems integration design
- Information management computer systems integration design
- Local area network (LAN) computer systems integration design
- Office automation computer systems integration design

Concrete and cement products. Manufacturing establishments producing bulk concrete, concrete building block, brick, and all types of precast and prefab concrete products. Also includes ready-mix concrete batch plants, lime manufacturing, and the manufacture of gypsum products, including plasterboard. A retail ready-mix concrete operation as an incidental use in conjunction with a building materials outlet is defined under “Building material stores.”

Conditional use. A use of land identified by Division 2 of this title (Zoning Districts, Allowable Land Uses, and Zone-Specific Standards) as being allowed in a particular zoning district subject to the approval of a conditional use permit in compliance with Chapter 64 of this title (Conditional Use Permits).

Condominium. As defined by Civil Code Section [951\(f\)](#), a development where undivided interest in common in a portion of real property is coupled with a separate interest in space called a unit, the boundaries of which are described on a recorded final map or parcel map. The area within the boundaries may be filled with air, earth, or water, or any combination thereof, and need not be physically attached to any land except by easements for access and, if necessary, support.

Confectionery stores. See “retail stores, general merchandise.”

Construction commencement. Satisfactory completion of the site preparation, grading, forms, and foundations, including reinforcing steel, and all electrical, plumbing, and air conditioning groundwork.

Contractor’s storage yard. Storage yard operated by, or on behalf of, a contractor licensed by the State of California for storage of large equipment, vehicles, or other materials commonly used in the individual contractor’s type of business; storage of scrap materials used for repair and maintenance of contractor’s own equipment; and structures for uses including offices and repair facilities.

Convenience stores. Retail establishments in a commercial structure with a square footage of less than five thousand (5,000) square feet which carry a limited range of common merchandise and frequently used food items, oriented to convenience and travelers’ shopping needs. These stores may be part of a service station or an independent facility.

Copy services. See “business support services.”

Corner cutoff area. See “traffic safety sight area.”

Cosmetic products. Manufacturing facilities that use basic chemicals to produce cosmetics and cosmetic-type products.

Cottage food operations. Home food facilities operated in conformance with Section [113785](#) of the California Health and Safety Code, including permanent and nonpermanent food facilities.

Cottage Home Program. The program provides plans for the construction of a cottage home on properties that are in a residential zoning district area in which an alley is located. The cottage home is considered an accessory dwelling unit.

County Recorder. The County Recorder of the County of Fresno.

Coverage. Shall mean the same as site or parcel coverage.

Creek corridors. See “open space, public.”

Cul-de-sac. A lot fronting on, or with more than one-half (1/2) of its lot width fronting on, the turn-around-end of a cul-de-sac street.

T. Definitions, "T."

Tasting room. A business conducting wine and/or beer tasting of their own product either at their location or off site in an appropriate zone district in conformance with the California Business and Professions Code. A tasting room may include more than one licensed manufacturer within the same lease space and permit retail sales of general merchandise. Tasting rooms may only operate between the hours of 8:00 a.m. and 11:00 p.m. daily, unless otherwise approved through an entertainment permit.

Tattoo. The insertion of pigments under the surface of the human skin for the purpose of creating pictures or designs per the satisfaction of the customer.

Tattoo parlor. See "body art."

Taxidermists. An establishment specializing in the preparation, stuffing, and mounting the skins of animals, especially vertebrates.

Telecommunication component manufacturing. Establishments engaged in manufacturing electromagnetic and photoelectrical broadcast, receiving, repeater station, and transmission equipment for cellular telephone, radio, telegraph, telephone, television, and data network communications, including commercial earth stations for satellite-based communications. Illustrative examples include:

- Antennas
- Cell phones and components
- Personal pagers and components
- Satellite dish antennas and components
- Towers
- Transmission equipment and components

Telecommuting. A work arrangement for performing work electronically, where employees work at a location other than their primary work location (e.g., home, an off-site office, etc.).

Teleconferencing. Telephone and/or video multi-access link for group communications.

Telephone booths, permanent or temporary. A small enclosure containing a public telephone.

Teleservices. Automatic information services (e.g., automatic teller machines, computer mail (e-mail), computer modem, facsimile, telephone information services, telephone banking/transaction, etc.).

Temporary seasonal use. A temporary retail or service business normally associated with a holiday or seasonal event.

Temporary uses. See Section [9.60.020](#) (Temporary use permits).

Tennis courts, private. See “accessory residential uses and structures.”

Textile products. Manufacturing establishments engaged in performing any of the following operations: preparation of fiber and subsequent manufacturing of braids, threads, twine cordage, yarn; coating, waterproofing, or otherwise treating fabric; dyeing and finishing fabric, fiber, yarn, and knit apparel; manufacturing woven fabric and carpets and rugs from yarn; the integrated manufacture of knit apparel and other finished products from yarn; the manufacture of felt goods, lace goods, nonwoven fabrics, and miscellaneous textiles; and upholstery manufacturing.

Theaters. Indoor facilities for public assembly and group entertainment, other than sporting events, including civic theaters and facilities for live theater and concerts.

Tiny Home. A structure on wheels intended for separate, independent living quarters.

Tire recapping, retreading, and rebuilding. See “plastics and rubber products.”

Tobacco shops. See “retail stores, general merchandise.”

Toe of slope. That point or line of initial break where the terrain changes to an upward direction.

Trading area. The area served by an existing commercial development or to be served by the proposed commercial development and from which such development draws its support.

Traffic safety sight area. A triangular area on a corner parcel formed by measuring thirty feet (30') from the intersection of the front and street side property lines, and connecting the lines across the property. (See Figure 3-1.)

Trailer, automobile. A vehicle without motive power, designed and constructed to travel on the public thoroughfares in accordance with the provisions of the State Vehicle Code and to be used for human habitation or for carrying property, including a trailer coach.

Trailer coach. Any camp car, trailer, or other vehicle, with or without motive power, designed and constructed to travel on the public thoroughfares in accordance with the provisions of the State Vehicle Code, and designed or used for human habitation.

Trailer court or trailer park. A space, area, or building designed, equipped, or maintained for the harboring, parking, or storing of two (2) or more trailer coaches, or house cars which haul such trailer coaches, or house cars being used as living or sleeping quarters for humans.

Trailer, residential. The same as “trailer coach” and used for human habitation only.

Trails. Multiple purpose public paths, either gravel or paved, suitable for a broad range of users, including bicycling, hiking, horseback riding, running, walking.

Transient. A person who is receiving accommodations for a price, with or without meals, for a period of not more than one hundred eighty (180) continuous days in any one year.

Transit stations and terminals. Passenger stations for vehicular and rail mass transit systems; also terminal facilities providing minor maintenance and service for the vehicles operated in the transit system. Includes buses, taxis, and railway facilities.

Transit stop shelters. A small scale covered waiting area for buses, taxis, and rail/mass transit stops.

Transitional shelter or housing. See “group housing – residential care home/facility.”

Tree protection terms used in Chapter 30 of this title (Tree Protection Standards).

1. Arborist. A person having expertise in the care and maintenance of trees who is certified by the International Society of Arboriculture (ISA) or comparable organization.
2. Developed single-family residential property. Any legal parcel of record that is developed with a main dwelling unit and zoned single-family or PD (planned development), and cannot be further subdivided into additional parcels under its current zoning designation.
3. Development application. An application for land alteration or development including conditional use permit, planned development permit, site plan review, variance, Zoning Map amendment, and subdivisions of property.
4. Dripline. The outermost line of the tree’s canopy projected straight down to the ground surface. In plan view, the dripline generally appears as an irregularly shaped circle.
5. Emergency. A sudden or generally unexpected occurrence that decisively determines that immediate action is warranted.
6. Fruit tree. Any tree that has the characteristic of bearing edible fruit, common to commercial production varieties, including stone fruits (e.g. prunes, peaches, etc.), citrus (e.g., lemons, oranges) and nut varieties (e.g., almonds, English walnut (except for California black walnut), peppers (g. Schinus), and olives (g. Oleaceae), etc.). A “fruit tree” shall not mean any tree that bears a fruit or nut produced primarily as seed (e.g., oaks, pines, etc.).
7. Heritage tree. Any tree so designated by the Protected Tree Advisory Committee based on the finding that the tree has character, significant age and girth, interest or value as part of the development of and/or exemplification of the agricultural, cultural, economic, educational, social, indigenous or historical heritage of the City and identified on the historic resources inventory.

8. Main structure. A primary structure allowed in the zoning district in which a property is located to provide reasonable economic use of a property.
9. Net lot area. The total area within the parcel lines of a parcel, excluding any street rights-of-way or common areas owned collectively by a group of property owners in a planned development.
10. Protected tree. Any class of tree specified in Section [9.30.040](#) (Protected trees).
11. Pruning. The standard practice of maintenance consisting of trimming or cutting away any limbs or branches of a tree to control growth and enhance performance or function by developing and preserving tree structure and health in compliance with pruning standards contained in the tree technical manual.
12. Remove. The complete removal of a tree (e.g., cutting to the ground) or its extraction. It also means taking action foreseeably leading to the death of a tree or permanent damage to its health, including cutting, girdling, over-watering, poisoning, unauthorized relocation or transportation of a tree or trenching, excavating, or altering the grade or paving within the dripline of a tree.
13. Review authority. The person or body officially responsible for rendering decisions on requests to remove trees protected by Chapter 30 of this title (Tree Protection Standards).
14. Severe trimming. Cutting back large diameter branches or the main trunk of a mature tree to stubs, known as topping or severe root pruning, which either destroys the existing symmetrical appearance or natural shape of the tree and/or compromises the long-term health or survival of a tree.
15. Tree. A live woody perennial plant characterized by having a main stem or trunk or a multi-stemmed trunk system with a more or less definitely formed crown, and is usually over ten feet (10') high at maturity.
16. Tree removal. Cutting of a tree to the ground or its extraction or severe trimming of a tree that does not comply with pruning standards adopted in Chapter 30 of this title (Tree Protection Standards). (See "pruning" definition.)
17. Tree technical manual. The regulations and specifications issued by the Director to implement Chapter 30 of this title (Tree Protection Standards).
18. Unprotected tree. Any class of tree not specified in Section [9.30.040](#) (Protected trees).

Tropical and other fish raising and sales. See "retail stores, general merchandise." The use does not include commercial fish farming, which is considered an industrial use.

Truck and trailer sales lot. An open area where trucks or trailers are sold, leased, or rented and where no repairing, repainting, or remodeling is done.

Truck repairing and overhauling. See “motor vehicle repair and maintenance.”

Twenty-four (24) hour retail and services uses. Any business accessible and open to the public (i.e., not uses such as manufacturing, warehousing and processing) that operates twenty-four (24) hours a day or between the hours of 12:00 a.m. and 5:00 a.m., regardless of any other hours of operation, and located three hundred feet (300') or closer to any residential district and the use, the business center or the commercial center in which the use is located is located within three hundred feet (300') of any residential district.

Two (2) family housing/duplexes. Attached multifamily housing structure under single or individual unit ownership containing two (2) dwelling units in the same structure.