



# - CITY OF CLOVIS - REPORT TO THE PLANNING COMMISSION

TO: Clovis Planning Commission

FROM: Planning and Development Services

DATE: December 21, 2017

SUBJECT: Consider Approval Res. 17-\_\_\_\_, **R2017-17**, A request to approve a prezone of approximately 40.96 acres of land located on the east side of Leonard Avenue, between Shaw and Barstow Avenues from the County AE-20 Zone District to the Clovis R-1 (Single Family Residential – 6,000 Sq. Ft.) Zone District. Donald D. & Margaret P. Hart Trs., Robert Francis Di Falco, John M. & Martha Cervantes, Bob T. & Maureen Furgerson, Douglas B. Jr. Welton, Michael & Helen Cline, Roy W. White Trustee, Michael B. & Janis A. Mc Donald Trustees, Donald L. & Ann V. Goodwin Trustees, Charles L. & Karen Wilkins Trustees, Cullen F. & Katherine Dee Rodgers Trs., Roxanne Montgomery, Lee-Liang LLC., Agavni Ayda Tutuoglu, Bryan W. & Kathy L. Anderson, Richard Gary Sr. Sassano Trustee, Neng M. & Zyang Vang Moua, Kue & Nhia Yia Moua Etal Lee, Harvey N. II & Anita Stidston, owners; Century Communities, applicant; Precision Civil Engineering, Inc., representative.

**ATTACHMENTS:**

Figure 1:	Location Map
Attachment 1:	Draft Resolution
Attachment 2:	Correspondence from Commenting Agencies

**CONFLICT OF INTEREST**

None.

**RECOMMENDATION**

Staff recommends that the Planning Commission approve Prezone R2017-17.

**EXECUTIVE SUMMARY**

The applicant is requesting to prezone approximately 40.96 acres of property from the County AE-20 Zone District to the Clovis R-1 (Single Family Residential – 6,000 Sq. Ft.)

Zone District. The requested rezoning would bring the eighteen properties into consistency with the General Plan Land Use Diagram and Loma Vista Specific Plan. The requested rezoning is necessary to accommodate a 138-lot single-family residential development and annexation of approximately 78 acres. The applicant requested the City Council to initiate the prezone on behalf of the property owners. On November 13, 2017, the City Council unanimously voted to initiate the prezone.

## **BACKGROUND**

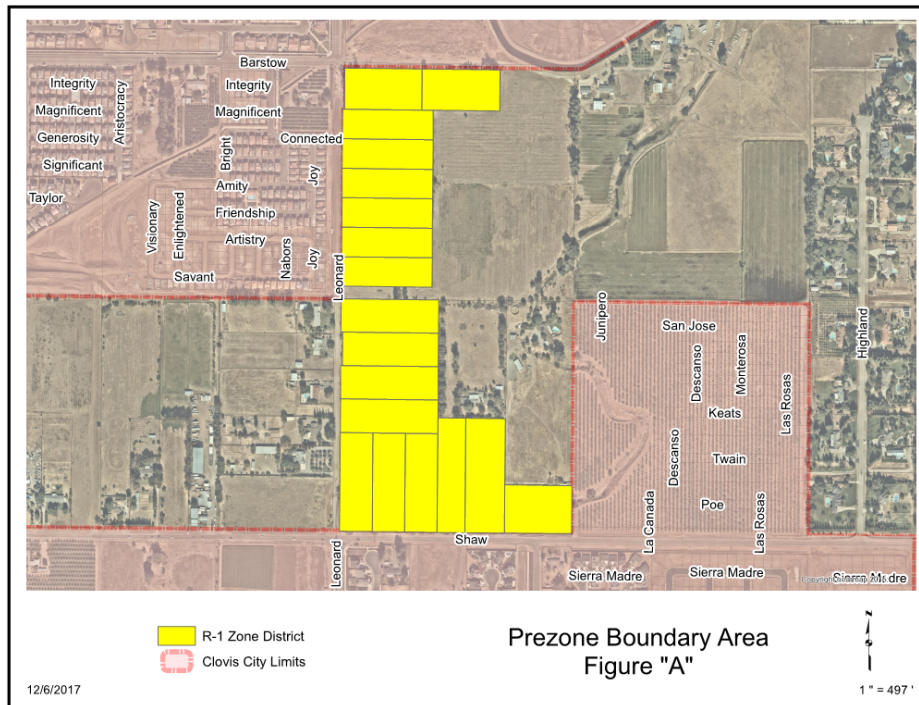
- General Plan Designation: Low Density Residential (2.1 to 4.0 units per acre), Medium Density Residential (4.1 – 7.0 units per acre) & Open Space
- Specific Plan Designation: Low Density Residential (2.1 to 4.0 units per acre), Medium Density Residential (4.1 – 7.0 units per acre) & Open Space
- Existing Zoning: County AE-20
- Lot Size: 40.96 acres
- Current Land Use: Rural Residential
- Adjacent Land Uses: North: Urban Development  
South: Urban Development  
East: Rural Residential & Agricultural  
West: Rural Residential & Urban Development

## **PROPOSAL AND ANALYSIS**

### **Prezone**

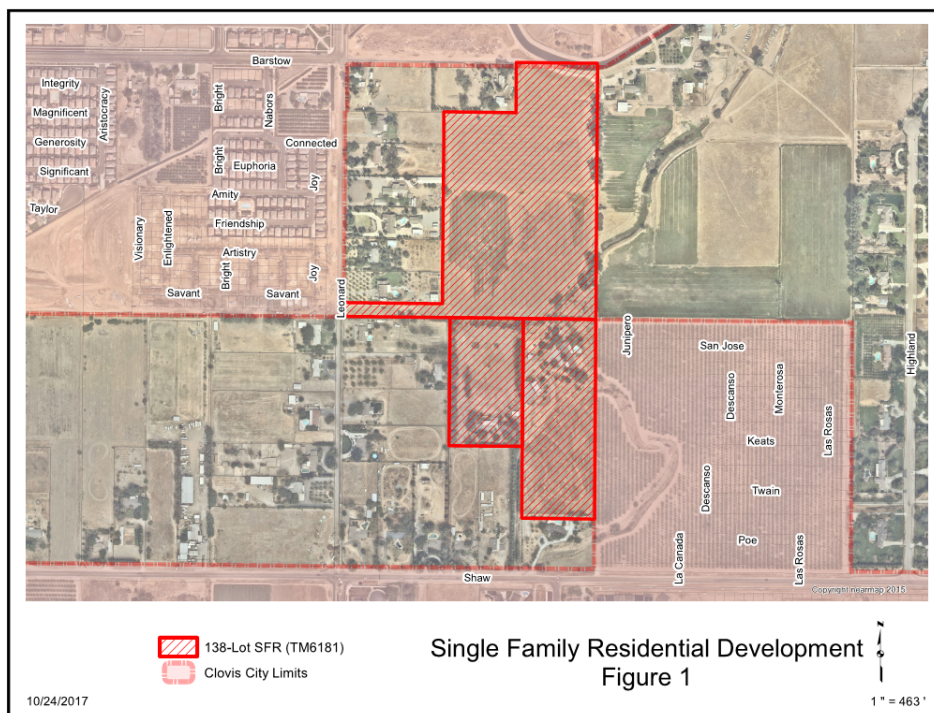
The applicant is requesting to prezone approximately 40.96 acres from the County AE-20 Zone District to the Clovis R-1 (Single Family Residential – 6,000 Sq. Ft.) Zone District (see Figure A below). The project area's land use designations of Low Density Residential, Medium Density Residential and Open Space in the Loma Vista Specific Plan are consistent with the proposed prezone.

Approval of this prezone would bring the subject parcels into consistency with the General Plan upon annexation, therefore, in compliance with State Planning and Zoning Law.



**FIGURE A – Prezone Boundary**

On November 16, 2017, the Planning Commission approved the associated vesting tentative tract map TM6181, for a 138-lot single-family residential development for land located to the east of Prezone R2017-17 (see Figure 1 below).



**FIGURE 1 – TM6181 Boundary**

### 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, State Department of Fish and Wildlife, LAFCo, 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 General Plan Goals and Policies

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

**Goal 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 3.3 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.

**Goal 6:** A city that grows and develops in a manner that implements its vision, sustains the integrity of its guiding principles, and requires few and infrequent amendments to the General Plan.

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

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

California Environmental Quality Act (CEQA)

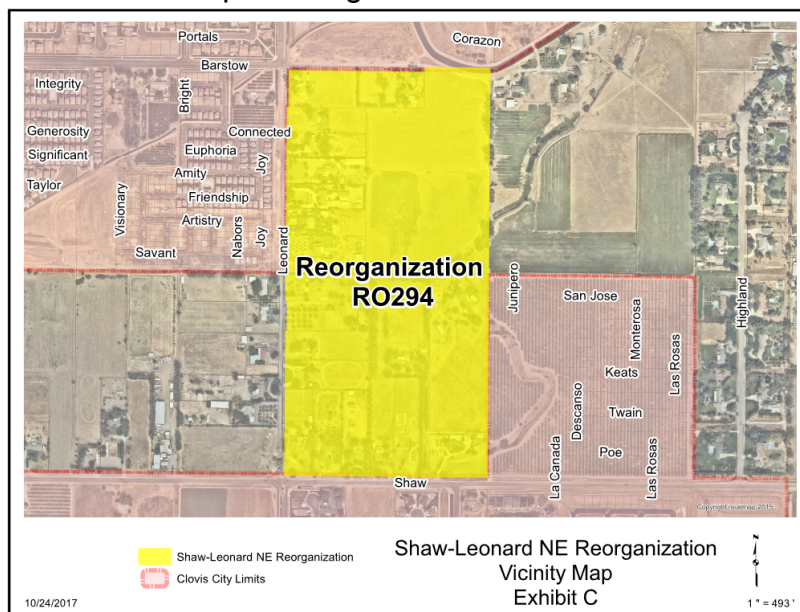
The applicant's project is in substantial conformance with the environmental analysis performed for the 2014 General Plan Update, 2014 Development Code Update and Loma Vista Specific Plan EIR. No major revisions will be required with the adopted Environmental Impact Report to accommodate the proposed project, therefore, subject to California Government Code Section 65457, no further environmental review is required for this project.

The City published notice of this public hearing in *The Business Journal* on Wednesday, December 6, 2017.

**Annexation**

The prezone area is part of a larger annexation to the City of Clovis (see Exhibit C below). An application for Annexation has been submitted and identified as the Shaw-Leonard Northeast Reorganization (RO294). The project site is proposed to be annexed under Reorganization RO294. The annexation boundary consists of twenty one properties, three of which are associated with previously approved vesting tentative tract map TM6181, a 138-lot single-family residential development.

The annexation is brought to the Commission's attention to provide context for the rezoning. The Commission is not required to take action on this request, which will be considered by the City Council. If supported, the Council will take proponenty action to apply to LAFCO as the applicant. The Commission is encouraged to ask any questions about annexation related to the rezoning.



**EXHIBIT C – Annexation Boundary (format)**



## **FISCAL IMPACT**

None.

## **REASONS FOR RECOMMENDATION**

The proposed rezoning is consistent with the General Plan Land Use Diagram and Loma Vista Specific Plan. The rezoning of the eighteen properties will facilitate the applicant's proposal and provide for future development of all parcels as envisioned in the Loma Vista Specific Plan. Staff therefore recommends that the Planning Commission approve Prezone R2017-17.

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

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


## **ACTIONS FOLLOWING APPROVAL**

The Prezone will continue on to the City Council for final consideration.

## **NOTICE OF HEARING**

Property owners within 600 feet notified:	88
Interested individuals notified:	10

Prepared by: George González, MPA, Associate Planner

Reviewed by:   
Bryan Araki  
City Planner

**FIGURE 1  
PROJECT LOCATION MAP**



## **DRAFT RESOLUTION**

**ATTACHMENT 1**



**DRAFT  
RESOLUTION 17-\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLOVIS RECOMMENDING  
APPROVAL TO PREZONE APPROXIMATELY 40.96 ACRES FROM THE COUNTY AE-20 ZONE  
DISTRICT TO THE CLOVIS R-1 (SINGLE FAMILY RESIDENTIAL – 6,000 SQ. FT.) ZONE  
DISTRICT FOR PROPERTY LOCATED ON THE EAST SIDE OF LEONARD AVENUE, BETWEEN  
SHAW AND BARSTOW AVENUES**

**LEGAL DESCRIPTION:**

See the attached Exhibit “One.”

**WHEREAS**, Century Communities, 7815 N. Palm, Suite 101, Fresno, CA 93711, has applied for a Prezone R2017-17; and

**WHEREAS**, this is a request to prezone approximately 40.96 acres from the County AE-20 Zone District to the Clovis R-1 (Single Family Residential – 6,000 Sq. Ft.) Zone District for properties located on the east side of Leonard Avenue, between Shaw and Barstow Avenues, in the County of Fresno, California; and

**WHEREAS**, the Commission does find the project in substantial conformance with the environmental analysis performed for the 2014 General Plan Update, 2014 Development Code Update and Loma Vista Specific Plan EIR, pursuant to CEQA guidelines.

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

**WHEREAS**, the Prezoning is consistent with the General Plan Land Use Diagram and Loma Vista Specific Plan; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Clovis Planning Commission does recommend approval of Prezone R2017-17.

\* \* \* \* \*

The foregoing resolution was approved by the Clovis Planning Commission at its regular meeting on December 21, 2017, upon a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and passed by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

PLANNING COMMISSION RESOLUTION NO. 17-\_\_\_\_\_

DATED: December 21, 2017

\_\_\_\_\_  
Paul Hinkle, Chair

ATTEST:

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

## **CORRESPONDENCE**

**ATTACHMENT 2**



# County of Fresno

## DEPARTMENT OF PUBLIC HEALTH

David Pomaville, Director  
Dr. Ken Bird, Health Officer

December 8, 2017

LU0019277  
2604

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

Dear Mr. Gonzalez:

PROJECT NUMBER: R2017-17

**R2017-17**, A request to approve a prezone of approximately 40.96 acres of land located on the east side of Leonard Avenue, between Barstow and Shaw Avenues from the County AE-20 Zone District to the Clovis R-1 (Single Family Residential - 6,000 Sq. Ft.) Zone District..

**APN: 554-052-01 through -08 & -12 through -21**

**ZONING: AE-20 to R-1**

**ADDRESS: E side of Leonard, btw Barstow & Shaw Avenues**

Recommended Conditions of Approval for Future Residential Project:

- 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 has the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code.
- As a measure to protect ground water, all abandoned water wells and 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

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

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

(559) 600-3271 • FAX (559) 600-7629

The County of Fresno is an Equal Opportunity Employer

[www.co.fresno.ca.us](http://www.co.fresno.ca.us) • [www.fcdph.org](http://www.fcdph.org)

placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements.

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

---

REVIEWED BY:

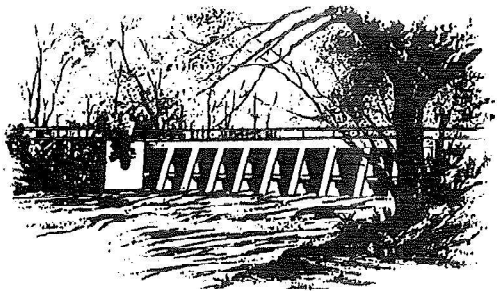
Kevin Tsuda, R.E.H.S.  
Environmental Health Specialist II

(559) 600-3271

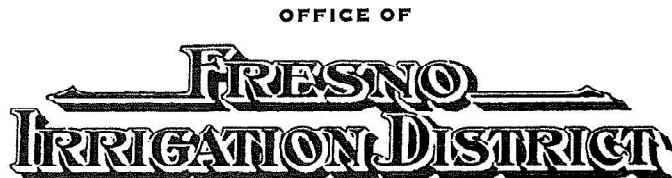
---

kt

cc: Steven Rhodes- Environmental Health Division (CT. 59.12)  
Dennis Gaab- Applicant ([dennis.gaab@centurycommunities.com](mailto:dennis.gaab@centurycommunities.com))



YOUR MOST VALUABLE RESOURCE - WATER



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

December 12, 2017

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

RE: Rezone R2017-17  
N/E Shaw and Leonard avenues  
FID's Enterprise No. 109

Dear Mr. Gonzalez:

The Fresno Irrigation District (FID) has reviewed Rezone 2017-17 requesting to approve a pre-zone of approximately 40.96 acres located on the east side of Leonard Avenue, between Barstow and Shaw avenues from the County AE-20 Zone District to the Clovis R-1 Zone District. FID has the following comments:

#### Summary of Requirements

- Enterprise Land Right-of-Way (Easement)
- Future Plan Review
- Future Project Fees and Permits

#### Impacted Facilities

##### FID's Enterprise No. 109

1. FID's Enterprise No. 109 Canal runs westerly and traverses the northeast corner of the subject property, as shown on the attached FID exhibit map and may be impacted by future developments. Should there be any future projects, developments, street and/or utility improvements along Barstow Avenue or in the vicinity of this canal, FID requires it review and approve all plans.
2. It is not clear whether the required amount of right-of-way has been reserved for the Enterprise Canal to have a full width bank (20 feet) along its south bank. The developments in the area must consider the impacts to the Enterprise Canal from urban development and allocate adequate right-of-way for the conversation of the area from a rural and agricultural setting to an urban development.

G:\Agencies\Clovis\Rezone\R2017-17.doc

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



### General Comments

1. For informational purposes, FID's Jefferson No. 112 runs southwesterly and traverses the intersection of Barstow Avenue and Leonard Avenue, as shown on the attached FID exhibit map. Should there be any future projects, developments, street and/or utility improvements along Barstow Avenue, Leonard Avenue, or in the vicinity of this facility, FID requires it review and approve all plans.
2. For informational purposes, a Fresno Metropolitan Flood Control District (FMFCD) facility known as Dog Creek No. 154 runs southerly and traverses the subject property, as shown on the attached FID exhibit map. FMFCD should be contacted for more information about this facility.
3. For informational purposes, A Private Pipeline known as the McFarlane W. Br. No. 468 traverses the subject property, as shown on the attached FID exhibit map. FID's records indicate this pipeline is currently active and should be treated as such. FID can supply the City of Clovis with a list of known users upon request.
4. FID is not part of Underground Service Alert (USA) and typically does not have plans for culverts under City/County road right-of-ways. FID requires that the contractor pot-hole and verify the depth and location of existing/known underground irrigation pipe/culvert (FID owned and privately owned) to determine adequate clearance for the traffic signal improvements.
5. FID requires it review, approve and be made a party to signing all improvement plans which affect its property/easements and canal/pipeline facilities including but not limited to Sewer and Water, FMFCD, Street, Landscaping, Dry Utilities, and all other utilities.
6. Should this project expand to include any street and/or utility improvements outside of its current project limits or in the vicinity of any canal or its crossing, FID requires its review and approval of all plans.
7. These comments are not to be construed as the only comment FID may have regarding this project. FID make have additional comments and requirements as the project continues.

George Gonzalez  
RE: Rezone R2017-17  
December 12, 2017  
Page 3 of 3

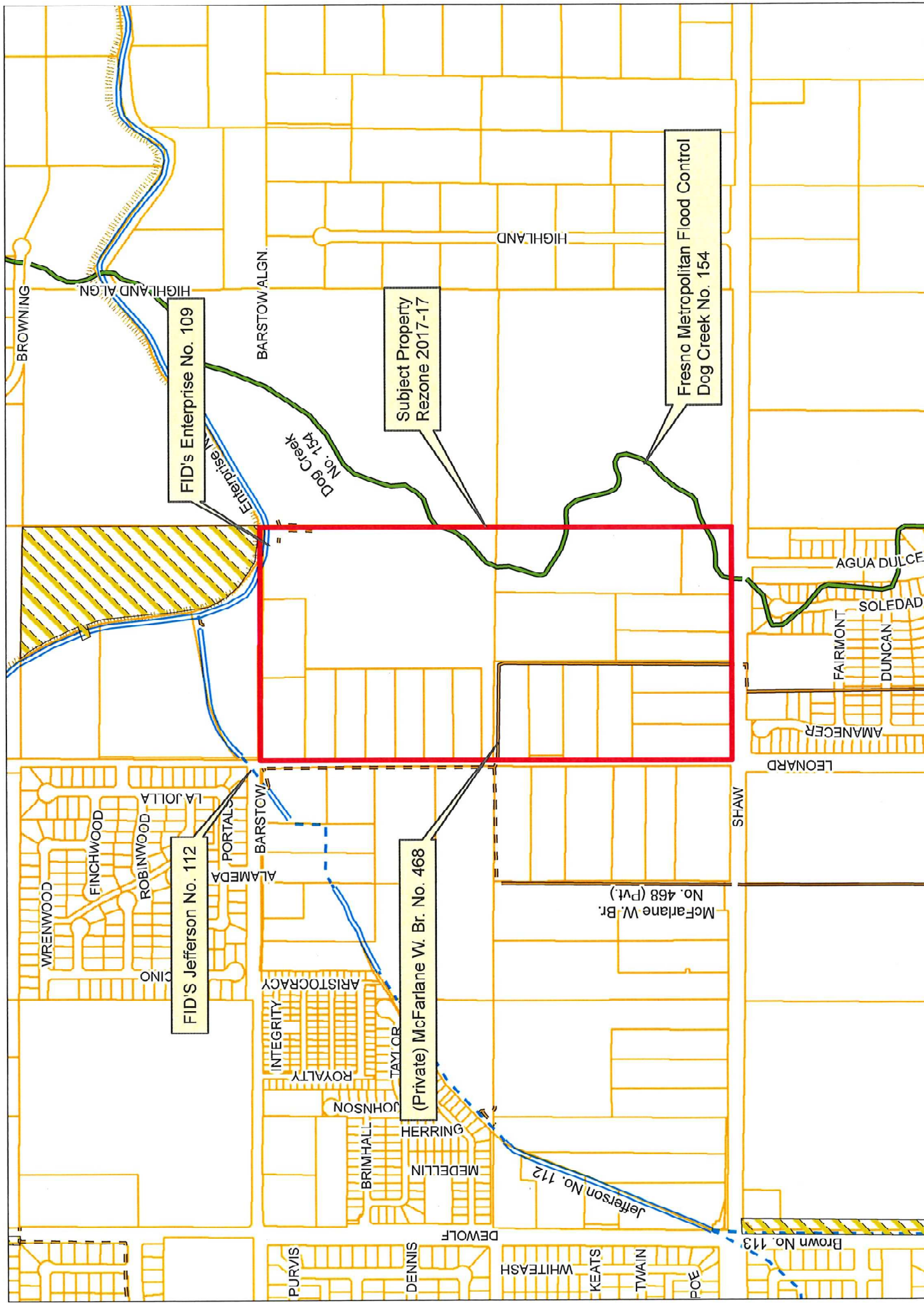
Thank you for submitting the proposed project for our review. We appreciate the opportunity to review and comment on the subject documents for this project. If you have any questions please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or [clundeen@fresnoirrigation.com](mailto:clundeen@fresnoirrigation.com).

Sincerely,



Laurence Kimura, P.E.  
Chief Engineer

Attachment



This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features 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
- FIMCD Acquired Basins
- FIMCD Proposed Basins

0 345 690 Feet  
1 inch = 692.79 feet

Date Saved: 12/7/2017 9:00:40 AM  
Path: G:\Fidgis\transfer\_AG10.mxd