

ORDINANCE 18-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVIS AMENDING SECTION 9.16.020 AND ADDING SECTION 9.18.050 OF THE CLOVIS MUNICIPAL CODE (PORTIONS OF THE DEVELOPMENT CODE) RELATING TO THE REGIONAL HOUSING NEEDS ASSESSMENT

WHEREAS, On September 10, 2018, the Council initiated an Ordinance Amendment to address the State Department of Housing and Community Development (HCD) Regional Housing Needs Assessment (RHNA) requirement; and

WHEREAS, the City of Clovis, 1033 Fifth Street, Clovis, CA 93612 (City), acting as the Applicant, submitted an Ordinance Amendment OA2018-03; and

WHEREAS, the City submitted an application to amend the text to Section 9.16.020 of the Development Code to add Multiple-Family Housing to the list of permitted uses in the P-F (Public Facilities) Zone District and to add a new Section 9.18.050, adding the RHN (Regional Housing Needs) Overlay District; and

WHEREAS, on September 27, 2018, the Planning Commission considered and recommended approval of OA2018-03; and

WHEREAS, the City published notice of the Council hearing in the Business Journal on October 5, 2018; and

WHEREAS, the Council held a duly noticed public hearing on October 15, 2018 at which time the Council considered testimony and information received at the public hearing and the oral and written reports from City staff, as well as other documents contained in the record of proceedings relating to the Project ("Administrative Record"), which are maintained at the offices of the City of Clovis Department of Planning and Development Services; and

WHEREAS, the City Council finds that the Ordinance Amendment is necessary to comply with the City's RHNA obligation, as reflected in the Administrative record; and

WHEREAS, the City Council finds that the Ordinance Amendment is consistent with the General Plan, including the goals, policies, and actions of the General Plan, and any remaining applicable specific plans; and

WHEREAS, the City Council finds that the Ordinance Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to Government Code section 65884(f) and CEQA Guidelines Section 15283.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLOVIS DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT TO SECTION 9.16.020.

Section 9.16.020, of Chapter 16, of Title 9 of the Clovis Municipal Code is hereby amended to read as follows (new text is shaded):

9.16.020 Special purpose district land uses and permit requirements.

- A. Allowable uses in the O District. Allowable uses and permit requirements in the O (Open Space Conservation) District.
1. The following uses are allowed, subject to the approval of a site plan review by the Director:
 - a. Flood control channels, greenbelts, park drives, parkways, ponding basins, spreading grounds, and utility easements;
 - b. Recreation areas, parks, playgrounds, trails and wildlife preserves and sanctuaries, including related accessory structures; and
 - c. Historic and cultural sites.
 2. The following uses may be allowed subject to the approval of a conditional use permit:
 - a. Caretaker and employee housing.
 - b. Flood control facilities, freeways.
 - c. Passive education facilities related to wildlife preserves and sanctuaries.
- B. Allowable uses in the P-F District. Allowable uses and permit requirements in the P-F (Public Facilities) District.
1. **The following uses are permitted, subject to a building permit. No building permit will be issued until the Building Official has verified consistency with all applicable codes and standards.**
 - a. **Multiple-Family developments per the R-4 development standards and Multiple-Family Design Guidelines.**
 2. The following uses are allowed, subject to the approval of a site plan review by the City Council:
 - a. Buildings, structures and sites owned, leased or operated by the City of Clovis, the State government, the government of the United States, the school district or a special district which does not specifically require an AUP or a CUP, including:
 - i. City Hall facilities;
 - ii. Fire stations;
 - iii. Police stations;
 - iv. City utility facilities;
 - v. Small domestic violence shelters.
 3. Administrative use permit. The following uses may be allowed subject to an administrative use permit and a site plan review by the City Council:
 - a. Wireless communication facilities;
 - b. Publicly owned and operated telecommunication towers;
 - c. Freeways.
 4. Conditional use permit. The following uses may be allowed subject to the approval of a conditional use permit and a site plan review by the City Council:
 - a. Public assembly/meeting facilities;
 - b. Publicly owned energy transmitting or generating facilities;
 - c. Cemeteries;
 - d. Clubs, lodges, and fraternal organizations, provided the chief activity of any such use is not one which is customarily carried on as a business;
 - e. Hospitals, including convalescent;
 - f. Large domestic violence shelters;
 - g. Post offices;
 - h. Public parking facilities (e.g., lots/garages);
 - i. Public structures and grounds (auditoriums, courts, libraries, meeting halls, museums, etc.);
 - j. Public utility facilities; and

- k. Schools, private and public.

SECTION 2. ADDITION OF SECTION 9.18.050.

Section 9.18.050, of Chapter 18, of Title 9 of the Clovis Municipal Code is hereby added to read as follows (entire text is new):

9.18.050 RHN (Regional Housing Needs) Overlay District

- A. The RHN Overlay District, is intended to provide affordable housing at a density of 35 to 43 units per acre on properties that meet the minimum qualifications below.
- B. General requirements.
 - 1. Density
 - a. The minimum density for any developer electing to use the RHN Overlay District shall be a minimum of 35 units per gross acre, not to exceed 45 units per gross acre.
 - 2. Land Use
 - a. The RHN Overlay District shall apply to any residentially zoned property that is a minimum of 1.0 acres and a maximum of 10.0 acres, designated and zoned residential.
 - b. The RHN Overlay District shall apply to property within the City limits as defined on the effective date of this Ordinance Amendment per the list of parcels on Attachment 1, and adopted map listed as "OA2018-03 Exhibit A."
 - 3. Initiation.
 - a. A new RHN Overlay District may be initiated by the Council, the Commission, or the property owner(s), in compliance with Chapter [86](#) of this title (Amendments, Development Code, General Plan, and Zoning Map).
 - 4. Property development standards.
 - a. Lot coverage shall not exceed 60%.
 - b. Maximum height shall not exceed 4-stories and 50 feet. Additional height/stories may be allowed, in compliance with Chapter 64 of this title (Conditional Use Permits).
 - c. Setbacks shall be as follows:
 - Street Frontage – 15 feet
 - Street Side – 15 feet. For a structure exceeding thirty-five feet (35') or two and one-half (2-1/2) stories, the required setback shall be increased at the rate of three inches (3") for each foot of height increase.
 - Interior side – 5 feet for each story

- Rear – 15 feet. For a structure exceeding thirty-five feet (35') or two and one-half (2-1/2) stories, the required setback shall be increased at the rate of three inches (3") for each foot of height increase for single story plus 5 feet for each additional story.
- d. Gates and Fencing
- All vehicle and pedestrian gates and fencing shall conform with Fire Department Standards.
 - Fencing along adjacent properties shall be a minimum six-foot high masonry material. Height to be measured from the highest finished grade and/or a minimum of six feet above a parking area within eight feet of the wall (whichever is highest).
 - Interior fencing adjacent to a high density or higher land use may be substituted with a decorative tubular steel fence.
 - Main vehicle entry gate shall be constructed per City of Clovis Standards, requiring a turnaround for vehicles that cannot gain entry.
- e. Parking
- Parking shall be provided at a ratio of:
 - o Two stalls per unit for one to two bedroom units
 - o Three stalls per unit for three or more bedroom units.
 - A minimum of one stall per unit shall be covered.
 - Parking shall be marked and striped per Multiple-Family Parking Standards.
 - Two-way drives shall be a minimum of 26 feet in width or as otherwise required by the Fire Department.
- f. Architectural Design
- Units shall utilize durable exterior materials such as stucco, cement board, concrete, or similar. Wood siding should be avoided with exception to trim.
 - Buildings containing three or more attached units in a row shall incorporate at least one architectural projection per unit. Such projection must project no less than two feet from the major wall plane, and at least five feet wide, and extend the height of the unit.
 - Buildings containing three or more attached units in a row shall incorporate articulated roof design to avoid continuous single planes. Articulation may be achieved by

changes in plane of no less than two feet and the use of traditional roof forms such as gables, hips and dormers.

- On larger projects with four or more attached units in a row on a single building, subtle changes in exterior color is encouraged to increase visual interest and reduce monotony. Building groups can also be painted with different colors or shades. Subtle changes in colors and shade is encouraged.

g. Security

- All parking structures, walkways and trash receptacles shall be lighted during the hours of darkness.
- All roadways within the complex shall be private streets and monitored by the apartment manager or an HOA.
- Emergency pedestrian gates shall be installed along street side perimeter fencing for Fire and Police Department access. Gates shall be accessible per Fire Department lock standards.

h. Open Space

- Private and/or common open space shall be provided at a ratio of 260 square feet per unit.
- Open space shall include recreation equipment for all ages. Open areas shall be useable and landscaped only to enhance the area or provide shade.

i. Transit

- Projects of 50 units or more, located on a designated transit route should provide a bus pullout and furniture in coordination with Clovis and Fresno Transit.

j. Utilities

- All on-site utilities shall be underground.

k. Multiple-Family Design Guidelines

- Development shall be consistent with the Multiple-Family Design Guidelines.

l. Site Plan Review and Building Permit

- Site Plan review is not required for RHN projects meeting the requirements of this section. A building permit is required prior to any construction activities. No building permit will be issued until the Building Official has verified consistency with all applicable codes and standards.

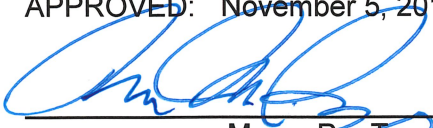
5. Utilities

a. Developer shall contact the City of Clovis Engineering Division to verify adequate sewer and water infrastructure and capacity.

SECTION 3. EFFECTIVE DATE.

This Ordinance shall go into effect and be in full force from and after thirty (30) days after its final passage and adoption.

APPROVED: November 5, 2018



Mayor Pro Tem

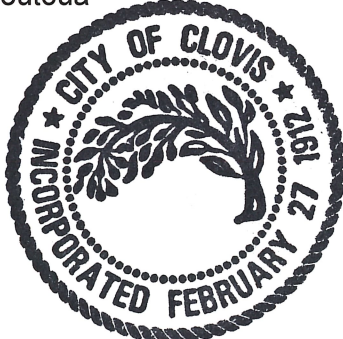


City Clerk

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The foregoing Ordinance was introduced and read at a regular meeting of the City Council held on October 15, 2018, and was adopted at a regular meeting of said Council held on October November 5, 2018, by the following vote, to wit:

- AYES: Councilmembers Ashbeck, Bessinger, Flores, Mouanoutoua
- NOES: None
- ABSENT: None
- ABSTAIN: Mayor Whalen
- DATED: November 5, 2018

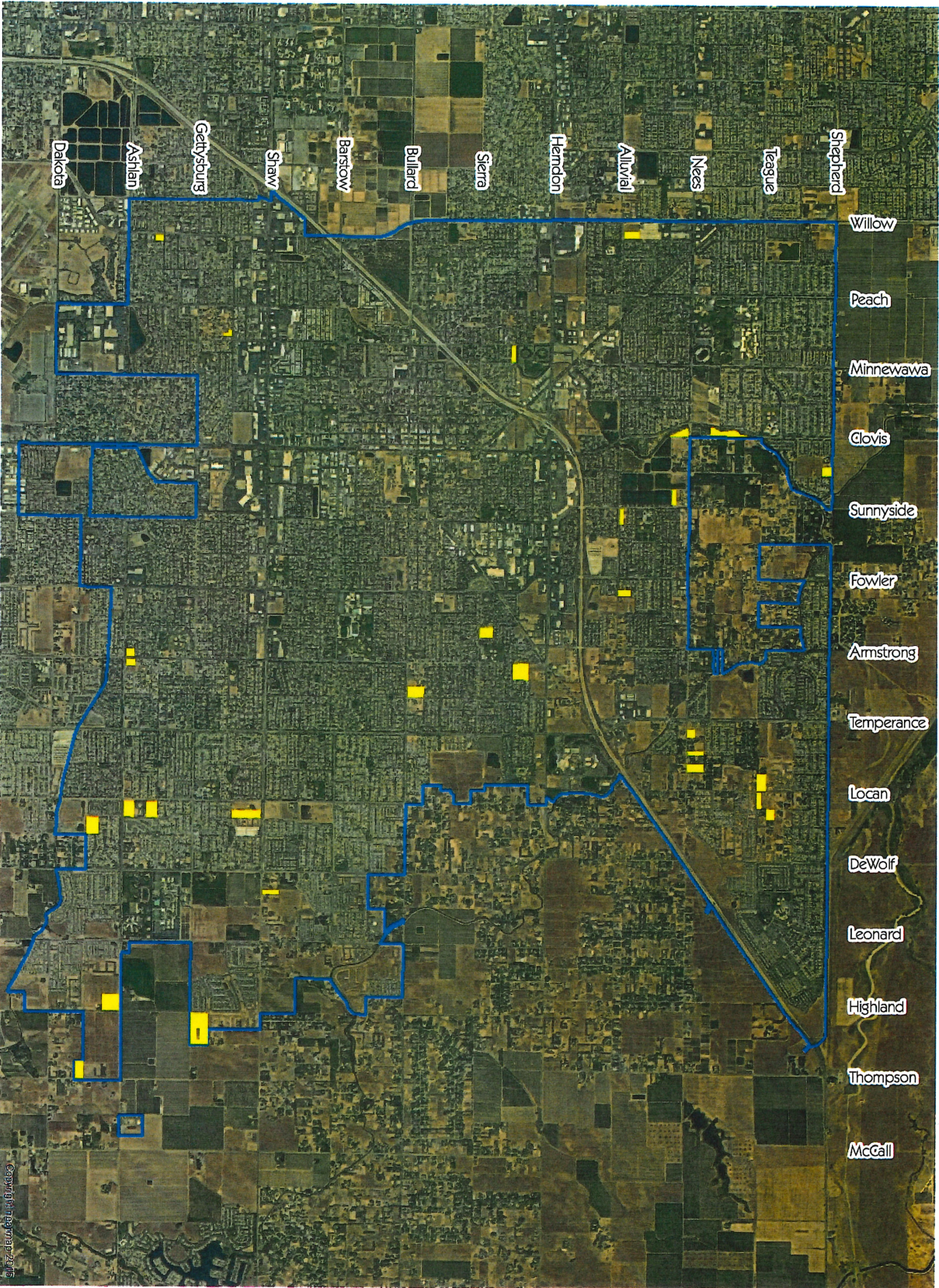




City Clerk

OA2018-03
ATTACHMENT 1
RHN Opportunity Sites

APN	Acreage	Zone
30902102	4.86	R-1-PRD
31030012	9.14	R-1-PRD
43060101	1.83	R-A
49134043	2.38	R-1
49906074	1.25	R-1-C
55002018	8.99	R-A
55004118	4.20	R-1
55026018	3.85	R-1-8500
55221212	2.18	R-1-C
55222081	2.20	R-1-C
55405332	2.28	P-F
55502061	8.28	R-1-PRD
55504236	5.78	R-A
55504238	5.59	R-A
55802012	3.01	R-1
55802014	2.39	R-1-AH
55905116	4.86	R-1
55908013	2.00	R-A
55908017	2.36	R-1-AH
55908025	4.79	R-1-AH
56005119	4.33	R-1-7500
56005124	2.24	R-1-7500
56303206	2.50	R-1-7500
56314234	1.71	R-1-7500
31079524U	6.93	R-1-7500
55026019S	2.10	R-1-8500
56003134S	3.01	R-1-7500
56102051S	3.94	R-1-7500
56201016T	2.17	R-A
56201047T	3.06	R-A
57101014S	9.05	R-1
57101016S	7.85	R-1




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OA2018-03
Exhibit A

Residential
Parcels
Greater Than
1 Acre and
Less Than 10 Acres
(131 Acres Total)

 City Limits

1" = 3,500'



Date: 10/24/2018