

AGENDA

PLANNING COMMISSION

of the

CITY OF HANFORD

COUNCIL CHAMBERS
400 N. Douty St.
7:00 PM, Tuesday, September 8, 2015

CALL TO ORDER

ROLL CALL

FLAG SALUTE

PUBLIC COMMENT

*This is the time for citizens to comment on subject matters not on the agenda and that are within the jurisdiction of the Commission. This is also the public's opportunity to request an item from the Consent Calendar be pulled for discussion purposes or to comment on any item on the agenda. Comments related to Public Hearing items will be heard at the time the item is discussed. A maximum of **five minutes** is allowed for each speaker. Please begin your comments by stating your name and providing your city of residence.*

CONSENT CALENDAR

Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.

Minutes Approval

- 1. Approval of the Minutes of the August 25, 2015 meeting.**

PUBLIC HEARING

2. **VESTING TENTATIVE TRACT MAP 912: a request to subdivide approximately 24 acres into 94 single-family residential lots and 2.59 acres of open space in accordance with the previously approved Live Oak Master Plan (Planned Unit Development 2005-04).**

GENERAL BUSINESS

3. **Finding of General Plan Consistency for the Sale of City Real Property located at the southwest corner of West Cortner Street and N. 11th Avenue, the westerly 18.1 acres of APN 008-360-006.**

DIRECTOR'S COMMENTS

COMMISSIONERS' ITEMS OF INTEREST

ADJOURNMENT

Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available to public inspection in the Planning Division Office located at 317 N. Douty Street, Hanford, California 93230, during normal business hours. Such documents are also available at the city's website, www.cityofhanfordca.com subject to staff's ability to post documents before the meeting.

If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the Planning Division's office, 559-585-2580, 317 N. Douty Street, Hanford, California 93230, at least 2 days prior to the meeting {28 CFR 35.102.35.104 ADA Title II}

APPEALS:

Any action of the Planning Commission, which is a final project decision, may be appealed to the City Council by the applicant or any adversely affected person. To file an appeal, an appeal application and filing fee of \$1,000.00 must be submitted to the Community Development Department, 317 N. Douty Street, Hanford, California, within ten (10) days following the date of the final decision of the Planning Commission.



AGENDA STAFF REPORT

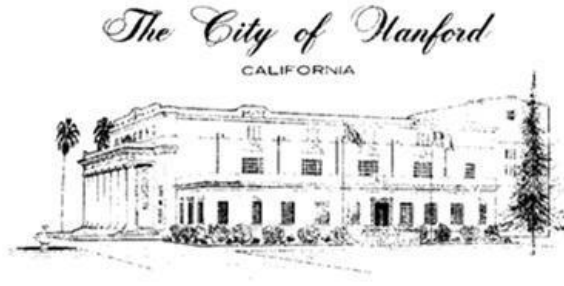
MEETING DATE: 9/8/2015	AGENDA SECTION: 1
-------------------------------	--------------------------

SUBJECT:

Approval of the Minutes of the August 25, 2015 meeting.

RECOMMENDATION:**BACKGROUND:****FISCAL IMPACT:****ATTACHMENTS:**

PC Minutes 8-25-15



MINUTES
PLANNING COMMISSION
of the
CITY OF HANFORD

COUNCIL CHAMBERS
400 N. Douty St.
7:00 PM, Tuesday, August 25, 2015

CALL TO ORDER

Chairperson Steve Froberg called the meeting to order at 7:00 p.m.

ROLL CALL

Attendee Name	Title	Status	Arrived
Steve Froberg		Present	
Dennis Ham		Present	
Ajmer Nahal		Present	
Richard Douglas		Present	
Mark Fernandes		Present	
Michael Johnston		Present	
Travis Paden		Present	

FLAG SALUTE

Commissioner Nahal led the flag salute.

INVOCATION

Pastor Cantrell, First Pentecostal Church

PUBLIC COMMENT

*This is the time for citizens to comment on subject matters not on the agenda and that are within the jurisdiction of the Commission. This is also the public's opportunity to request an item from the Consent Calendar be pulled for discussion purposes or to comment on any item on the agenda. Comments related to Public Hearing items will be heard at the time the item is discussed. A maximum of **five minutes** is allowed for each speaker. Please begin your comments by stating your name and providing your city of residence.*

There were no comments given.

DIRECTOR'S COMMENTS

Community Development Director Darlene Mata briefly discussed the new agenda management system.

CONSENT CALENDAR

Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.

Commissioner Ham noted a correction to the minutes. He did not call the August 11th meeting to order, but it was done by Chairperson Froberg.

Motion to approve the Consent Calendar with the minutes as amended.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mark Fernandes
SECONDER:	Travis Paden
AYES:	Froberg, Ham, Nahal, Douglas, Fernandes, Johnston, Paden

Approval of Minutes of the August 11, 2015 Meeting

PUBLIC HEARING

- 1. Planned Unit Development 2015-02 and Tentative Parcel Map 2015-02: Planned Unit Development 2015-02, a request to construct seven retail buildings, totaling 124,050 square feet with shared access and parking and a request to allow a 35-foot pylon sign in the in the "PC" Planned Commercial Zone District. Tentative Parcel Map 2015-02, a proposal to divide one parcel, totaling approximately 9.36 acres (407,733 sq. ft.), into nine parcels. The project is located at the southwest corner of 12th Avenue and Lacey Boulevard (Former APN: 011-020-048). (Negative Declaration 2015-06 is required.)**

Senior Planner Melody Haigh briefly discussed the proposal. Ms. Haigh also provided an overview of the project evaluation and the environmental assessment. Ms. Mata noted that all of the evidence had been submitted with the staff report for their review and consideration in their decision making process. She also discussed the correspondence received from the public pertaining to this item. Ms. Mata responded to questions and comments by the Commissioners.

Chairperson Froberg opened the public comments at 7:30 p.m.

Douglas Sutherland of Hanford Partners spoke on their proposed project and responded to questions by the Commissioners. They have no modifications or changes to the staff's recommendations.

Alex Dwiggins of Zumwalt-Hansen stated they were present to answer any questions.

John Zumwalt of Zumwalt-Hansen spoke in favor of the project.

Chairperson Froberg closed the public comments at 7:42 p.m.

Staff noted that one correction needed to be made to condition number 8 under General Conditions. It should read "That the applicant may develop the non anchor buildings prior to the major anchor building." This amendment will be made to Resolutions 2015-23 and 2015-24.

Motion to adopt Negative Declaration 2015-06 for Planned Unit Development 2015-02 and Tentative Parcel Map No. 2015-02.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dennis Ham
SECONDER:	Mark Fernandes
AYES:	Froberg, Ham, Nahal, Douglas, Fernandes, Johnston, Paden

Planned Unit Development 2015-02 and Tentative Parcel Map 2015-02: Planned Unit Development 2015-02, a request to construct seven retail buildings, totaling 124,050 square feet with shared access and parking and a request to allow a 35-foot pylon sign in the in the “PC” Planned Commercial Zone District. Tentative Parcel Map 2015-02, a proposal to divide one parcel, totaling approximately 9.36 acres (407,733 sq. ft.), into nine parcels. The project is located at the southwest corner of 12th Avenue and Lacey Boulevard (Former APN: 011-020-048). (Negative Declaration 2015-06 is required.)

Motion to adopt Resolution 2015-23 approving Planned Unit Development 2015-02 as amended by staff.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Johnston
SECONDER:	Travis Paden
AYES:	Froberg, Ham, Nahal, Douglas, Fernandes, Johnston, Paden

Planned Unit Development 2015-02 and Tentative Parcel Map 2015-02: Planned Unit Development 2015-02, a request to construct seven retail buildings, totaling 124,050 square feet with shared access and parking and a request to allow a 35-foot pylon sign in the in the “PC” Planned Commercial Zone District. Tentative Parcel Map 2015-02, a proposal to divide one parcel, totaling approximately 9.36 acres (407,733 sq. ft.), into nine parcels. The project is located at the southwest corner of 12th Avenue and Lacey Boulevard (Former APN: 011-020-048). (Negative Declaration 2015-06 is required.)

Motion to adopt Resolution 2015-24 approving Tentative Parcel Map No. 2015-02 as amended by staff.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Richard Douglas
SECONDER:	Ajmer Nahal
AYES:	Froberg, Ham, Nahal, Douglas, Fernandes, Johnston, Paden

GENERAL BUSINESS

Community Development Director Mata introduced Rosa Contreras from her department who will be providing backup to Diana Black at the Planning Commission meetings.

Staff responded to Commissioners' questions on other city related issues.

ADJOURNMENT

Chairperson Froberg adjourned the meeting at 7:52 p.m.

Respectfully submitted,

Jennifer Gomez
City Clerk



AGENDA STAFF REPORT

MEETING DATE: 9/8/2015	AGENDA SECTION: 2
-------------------------------	--------------------------

SUBJECT:

VESTING TENTATIVE TRACT MAP 912: a request to subdivide approximately 24 acres into 94 single-family residential lots and 2.59 acres of open space in accordance with the previously approved Live Oak Master Plan (Planned Unit Development 2005-04).

FISCAL IMPACT:

None.

ATTACHMENTS:

Staff Report

Planning Commission Resolution 2015-22

Exhibit A: Tentative Tract Map 912

Exhibit B: Live Oak Master Plan Layout

Exhibit C: Kings County Environmental Health Services Comments

Exhibit D: Planned Unit Development 2005-04 Conditions

**CITY OF HANFORD PLANNING COMMISSION
STAFF REPORT**

MEETING DATE: **SEPTEMBER 8, 2015**

PROJECT: **VESTING TENTATIVE TRACT MAP 912** is a request to subdivide approximately 24 acres into 94 single-family residential lots and 2.59 acres of open space in accordance with the previously approved Live Oak Master Plan (Planned Unit Development 2005-04).

LOCATION: The property is located north of Houston Avenue, west of Wishon Avenue (APN 011-110-016).

PROJECT PLANNER: Gabrielle de Silva, Assistant Planner

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

1. Adopt Resolution 2015-22 approving Vesting Tentative Tract Map 912.

RECOMMENDED MOTION

1. I move to adopt Resolution 2015-22 approving Vesting Tentative Tract Map 912.

PROJECT DESCRIPTION

Vesting Tentative Tract 912 proposes to subdivide 24 acres into 94 single-family lots and 2.59 acres of open space in accordance with the previously approved Live Oak Master Plan (approved under Planned Unit Development 2005-04).

See **Exhibit "A"** for proposed subdivision map.

BACKGROUND INFORMATION

In 2009, the Live Oak Master Plan was approved by City Council under Planned Unit Development (PUD) 2005-04. The overall Live Oak Master Plan approved the development of 1,560 residential units on 390 acres. The City entered into a development agreement with MMV Development to further ensure the development of the entire master plan. As phases I and II of the Live Oak Master Plan, Tentative Tract Maps 865 and 881 were approved by the Planning Commission. Later in 2010, Tentative Tract Map 902 was approved as phase III. Tentative Tract 909 was approved in 2014 by the Planning Commission as the fourth phase of development in the Live

Oak Master Plan. Tentative Tract 912 is the fifth phase of development in the Live Oak Master Plan.

See **Exhibit “B”** for approved Live Oak Master Plan layout.

Existing Land Use: The property is currently vacant. The property is not located in a flood plain (Flood Insurance Rate Map Panel No. 06031C0195C, June 16, 2009).

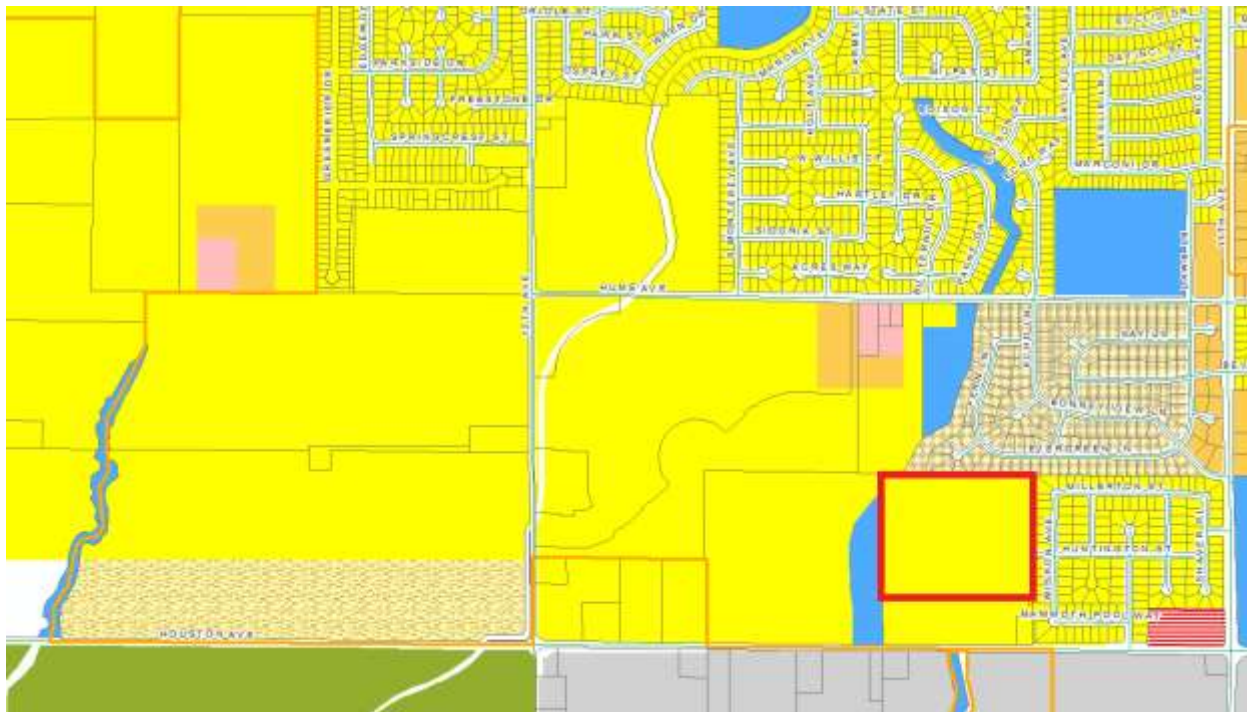
General Plan Designation and Zoning: The General Plan designates the property as Low Density Residential. The property is currently zoned “R-1-6” Low Density Residential. The proposed land division is consistent with the General Plan and Zoning Ordinance.

Figure 1: Land Use Designation



Attachment: Staff Report (1066 : Tentative Tract 912 (Live Oak East))

Figure 2: Zoning Designation R-1-6



Adjacent Land Use and Zoning:

	USE	GP DESIGNSTION	ZONED
NORTH:	Tract 810	Low Density Residential	R-1-6; R-1-8
SOUTH:	Sanchez Feed and Seed	Low Density Residential	R-1-6
EAST:	Tract 759	Low Density Residential	R-1-6
WEST:	Live Oak East Phase I and II	Low Density Residential/ Public Facility	R-1-6/PF

ANALYSIS FOR VESTING TENTATIVE TRACT 912:

Project Design:

Total Area: **24 acres** Number of Lots: **94 single-family residences; two open-space lots (Lots A and B)**

Units per gross acre: **3.91**

Number of Dwelling Units: **94 single-family residences**

Potential population increase: **3.11 persons per household x 94 households = 292**
Lot Sizes:

Average	Smallest	Largest	Required
6,750 sq. ft	6,000 sq. ft.	11,671 sq. ft.	as noted in PUD 2005-04

All proposed lots meet or exceed minimum depth, width and area requirements of the “R-1-6” zone district, as modified under Planned Unit Development 2005-04.

Vesting Tentative Map:

The project is being processed as a vesting tentative map. A vesting tentative map provides a vested right to proceed with the development in substantial compliance with the ordinances, policies, and standards in effect at the time the application of the vesting tentative map is deemed complete. Any amendments to City development standards, general plan designation and zoning would not restrict the project from being developed as originally approved.

Development Agreement:

The previously approved development agreement will allow the developer to proceed with the project, assured that approvals granted will not change during the period of development of the project. The City is equally assured that costly infrastructure, such as roads, sewers, schools, park facilities, fire protection facilities, etc. will be available at the time the development project(s) come on line.

Streets/Circulation:

Street improvements will include the installation of concrete curb and gutter, sidewalk, landscaping, street lights, median island curb, street striping, and all improvements will be installed within public street right of way or utility easements in accordance with the requirements of Chapter 16.24 “Improvements”, of the Hanford Municipal Code, Public Works Standards and Specifications, the Live Oak Master Plan, and the resolution pertaining to the subdivision.

Houston Avenue will be developed as a major Arterial street along the development frontage of the subdivision in conformance with City Standard ST-17 and ST-18, modified as indicated on the tentative tract map and the Live Oak Master Plan.

All other streets within the subdivision will be developed to residential street standard ST-32, modified as indicated on the vesting tentative tract map and the Live Oak Master Plan.

The developer is responsible for payment of a proportionate cost share of interim improvements to mitigate impacts to the intersection of 13th Avenue/State Highway 198

interchange, as identified in the project Environmental Impact Report and Traffic Impact Study prepared by the firm of KD Anderson Transportation Engineers dated March 20, 2006.

Easements and Dedications:

Easements will be designated on the final subdivision map as required by the utility companies and where needed for providing service to streetlights and landscape improvements as designated by the Public Works Department.

All proposed streets, street extensions, opposite travel lanes on boundary streets and offsite pavement transitions with right of way, as shown on the tentative subdivision map, will be dedicated to the City as public rights-of-way and any alteration of existing utilities will be the responsibility of the developer.

All proposed landscape lots, located as shown on the tentative subdivision map, (Lot "A"), will be dedicated to the City for landscape and public utility purposes concurrent with the recording of a subdivision final map.

Backup Parkway Improvements:

The developer will design and construct the improvements along the development frontage of Houston Avenue:

- a. Landscaping and irrigation system improvements along the development frontage of Houston Avenue (right of way and landscape parcel areas).

Sewer Improvements:

The developer's engineer will provide a sanitary sewer master plan complete with calculations for the entire subdivision for City Public Works Department review and approval prior to recording a subdivision final map. Provisions will be made to provide service for future areas of development located adjacent to the subdivision.

Storm Drainage Improvements:

The developer's engineer will provide a storm drainage master plan complete with calculations for the entire subdivision for City Public Works Department review and approval prior to recording a subdivision final map. Provisions shall be made to provide service for future areas of development located adjacent to the subdivision.

All drainage from the proposed development shall be directed to the Sand Slough drainage basin located as shown on the tentative subdivision map.

Water System:

The developer's engineer will provide a Water System Master Plan complete with calculations for the entire subdivision for City review and approval prior to recording a subdivision final map. Provisions will be made to provide service for future areas of development located adjacent to the subdivision.

Assessment District:

The developer will enter into an agreement with the City for the formation of a tax assessment district for the maintenance of neighborhood open space landscaping (Lot "A"), landscaping along South Scarlet Drive from Houston Avenue to the south boundary of the subdivision, subdivision street lighting, decorative fencing, and landscaping located along the property frontage of Houston Avenue located as shown on the tentative subdivision map. Prior to funds from the tax assessment district being obtained, the developer shall be responsible for the maintenance of all landscaping, including open space areas, subdivision street lighting, and decorative fencing.

Public Services:

City services that include fire, police, and general services (planning, building, and recreation) can adequately be provided for the increase in population from this subdivision. Armona Union Elementary School District and Hanford Joint Union High School District will serve the households in the proposed subdivision.

FINDINGS FOR APPROVAL

Pursuant to Section 16.04.010 of the Hanford Subdivision Ordinance, Section 66474 of the Subdivision Map Act and Hanford's Zoning Ordinance, the following findings can be made by the Planning Commission:

- a.) That the proposed subdivision map is consistent with the State Subdivision Map Act, General Plan, and Zoning Ordinance;

ANALYSIS: That a consistency finding can be made, because the proposed subdivision map is consistent with the State Subdivision Map Act, General Plan, Zoning and Subdivision Ordinances, and the Live Oak Master Plan (Planned Unit Development 2005-04).

- b.) That the design or improvement of the subdivision is consistent with general or specific plans;

ANALYSIS: That a design finding can be made, because the design or improvement of the subdivision map is consistent with the General Plan, Zoning

and Subdivision Ordinances, and the Live Oak Master Plan (Planned Unit Development 2005-04).

- c.) That the site is physically suitable for the type of development;

ANALYSIS: That a type of development finding can be made, because the site is physically suitable for the proposed type of development.

- d.) That the site is physically suitable for the proposed density of development;

ANALYSIS: That a density finding can be made, because the site is physically suitable for the proposed density of development. The General Plan prescribes a density range between two and nine units per acre. The project has a gross density of 3.91 units per gross acre.

- e.) That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage, or substantially and unavoidably injure fish or wildlife or their habitat;

ANALYSIS: That an environmental finding can be appropriately made because an Environmental Impact Report ("EIR") was prepared for the Live Oak Master Plan, which includes the subject property. The EIR identified many topic areas with no impact or a less than significant impact. It also identified several significant impacts that can be mitigated to a less-than-significant level relating to Air Quality, Biological Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Public Facilities and Services, and Transportation and Circulation, and a Mitigation, Monitoring and Reporting Plan ("MMRP") was prepared for the project. In addition to the significant impacts that can be mitigated, the report identified unavoidable significant adverse impacts that include Agricultural Resources, Air Quality, and Energy Conservation and Climate Change. Because significant adverse impacts have been found which cannot be mitigated, a statement of overriding considerations was made in accordance with CEQA. The Final Environmental Impact Report, along with CEQA findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program, was certified by City Council Resolution No. 09-57-R on September 15, 2009.

- f.) That the design of the subdivision and type of improvements are not likely to cause serious public health problems; and

ANALYSIS: That a public health finding can be appropriately made, because the Kings County Health Department has reviewed and commented on the project. Comments have been incorporated into the resolution.

- g.) That the design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

ANALYSIS: An improvements-and-access finding can be appropriately made, because the design of the subdivision map and/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 parcels.

CONSULTATION

Notice of the project was sent to the following agencies on July 21, 2015, in accordance with section 16.08.060 of the Subdivision Ordinance:

Kings County

Health Department
Assessor
Planning Department

Parking and Traffic Director

Hanford Unified School District
Dept. of Transportation

Southern California Edison Company

Southern California Gas Company

AT&T

Comcast

Real Estate Commission

Drainage District

Water Quality Control Board

Comments were received from the following agencies:

- Kings County Environmental Health Services (Exhibit C)

PUBLIC COMMENTS

Noticing of the project was published in the newspaper on August 28, 2015 and mailed to property owners within 500 ft. of the project site on August 27, 2015. No written comments have been received as of the date of the preparation of this staff report.

ENVIRONMENTAL ASSESSMENT

An Environmental Impact Report (EIR) was prepared for the Live Oak Master Plan, which includes the subject properties. The EIR identified many topic areas with no impact or a less than significant impact. It also identified several significant impacts that can be mitigated to a less-than-significant level relating to Air Quality, Biological Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Public Facilities and Services, and Transportation and Circulation, and a Mitigation, Monitoring and Reporting Plan ("MMRP") was prepared for the project.

In addition to the significant impacts that can be mitigated, the report identified unavoidable significant adverse impacts that include Agricultural Resources, Air Quality, and Energy Conservation and Climate Change. Because significant adverse impacts

have been found which cannot be mitigated, a statement of overriding considerations was made in accordance with CEQA.

The Final Environmental Impact Report, along with CEQA Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program, was certified by City Council Resolution No. 09-57-R on September 15, 2009.

CONDITIONS OF APPROVAL

That all conditions of the Live Oak Master Plan (Planned Unit Development 2005-04), as attached in Exhibit "D" and the conditions of Resolution 2015-22 shall apply.

Applicant/ Property Owner

Blue Mountain Homes, INC
707 Aldridge Road, Suite B
Vacaville, CA 95688

Engineer

North Star Engineering
620 12th Street
Modesto, CA 95354

RESOLUTION 2015-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HANFORD APPROVING VESTING TENTATIVE TRACT MAP 912, A REQUEST TO SUBDIVIDE 24 ACRES INTO 94 SINGLE-FAMILY RESIDENTIAL LOTS IN THE “R-1-6” LOW-DENSITY RESIDENTIAL ZONE DISTRICT SUBJECT TO THE PREVIOUSLY-APPROVED LIVE OAK MASTER PLAN (PUD 2005-04)

At a regular meeting of the Planning Commission of the City of Hanford duly called and held on September 8, 2015, by motion of Commissioner _____ seconded by Commissioner _____, and duly carried, the following resolution was adopted:

WHEREAS, Tentative Subdivision Map No. 912, filed by Blue Mountain Homes, has been reviewed by the Planning Commission of the City of Hanford as an advisory agency, in accordance with Title 16 of the Hanford Municipal Code; and

WHEREAS, the Planning Commission has carefully considered recommendations and testimony presented at the public hearing of September 8, 2015; and

WHEREAS, all affected public utility companies, various governmental department agencies and the Planning Commission staff have given careful consideration to this tentative subdivision map and have made recommendations thereon; and

WHEREAS, the Final Environmental Impact Report and all notices related thereto were prepared in compliance with the California Environmental Quality Act (CEQA) and the City of Hanford CEQA Guidelines; and

WHEREAS, on the basis of the application, the documentation and information provided in the staff report, and the evidence and testimony submitted at the public hearing, the Planning Commission of the City of Hanford hereby finds Vesting Tentative Tract Map 912 consistent with the Live Oak Master Plan (Planned Unit Development 2005-04), for which the Environmental Impact Report was prepared; and

WHEREAS, the Final Environmental Impact Report for the Live Oak Master Plan (Planned Unit Development 2005-04) was certified by the City Council on September 15, 2009 under City Council Resolution No. 09-57-R herein incorporated by reference; and

WHEREAS, a Mitigation Monitoring and Reporting Plan was certified for the Live Oak Master Plan (Planned Unit Development 2005-04) by the City Council on September 15, 2009 under City Council Resolution No. 09-57-R for significant environmental impacts that could be mitigated to substantially lessen the environmental effects relating to Air Quality, Biological Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Public Facilities and Services, and Transportation and Circulation; and

WHEREAS, a Statement of Overriding Considerations was certified for the Live Oak Master Plan (Planned Unit Development 2005-04) by the City Council on September 15, 2009 under City Council Resolution No. 09-57-R for unavoidable significant adverse impacts relating Agricultural Resources, Air Quality, and Energy Conservation and Climate Change; and

WHEREAS, the Planning Commission has made the following findings pursuant to Section 66474 of the Subdivision Map Act:

Attachment: Planning Commission Resolution 2015-22 (1066 : Tentative Tract 912 (Live Oak East))

- a.) That the proposed subdivision map is consistent with the State Subdivision Map Act, General Plan, and Zoning Ordinance;

ANALYSIS: That a consistency finding can be made, because the proposed subdivision map is consistent with the State Subdivision Map Act, General Plan, Zoning and Subdivision Ordinances, and the Live Oak Master Plan (Planned Unit Development 2005-04).

- b.) That the design or improvement of the subdivision is consistent with general or specific plans;

ANALYSIS: That a design finding can be made, because the design or improvement of the subdivision map is consistent with the General Plan, Zoning and Subdivision Ordinances, and the Live Oak Master Plan (Planned Unit Development 2005-04).

- c.) That the site is physically suitable for the type of development;

ANALYSIS: That a type-of-development finding can be made, because the site is physically suitable for the proposed type of development.

- d.) That the site is physically suitable for the proposed density of development;

ANALYSIS: That a density finding can be made, because the site is physically suitable for the proposed density of development. The General Plan prescribes a density range between two and nine units per acre. The project has a gross density of 3.91 units per gross acre.

- e.) That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage, or substantially and unavoidably injure fish or wildlife or their habitat;

ANALYSIS: That an environmental finding can be appropriately made because an Environmental Impact Report ("EIR") was prepared for the Live Oak Master Plan, which includes the subject property. The EIR identified many topic areas with no impact or a less than significant impact. It also identified several significant impacts that can be mitigated to a less-than-significant level relating to Air Quality, Biological Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Public Facilities and Services, and Transportation and Circulation, and a Mitigation, Monitoring and Reporting Plan ("MMRP") was prepared for the project. In addition to the significant impacts that can be mitigated, the report identified unavoidable significant adverse impacts that include Agricultural Resources, Air Quality, and Energy Conservation and Climate Change. Because significant adverse impacts have been found which cannot be mitigated, a statement of overriding considerations was made in accordance with CEQA. The Final Environmental Impact Report, along with CEQA Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program, was certified by City Council Resolution No. 09-57-R on September 15, 2009

- f.) That the design of the subdivision and type of improvements are not likely to cause serious public health problems; and

ANALYSIS: That a public health finding can be appropriately made, because the Kings County Health Department has reviewed and commented on the project. Comments have been incorporated into the resolution.

- g.) That the design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.

ANALYSIS: An improvements-and-access finding can be appropriately made, because the design of the subdivision map and/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 parcels.

THEREFORE, BE IT RESOLVED that Vesting Tentative Subdivision Map No. 912 be approved subject to the following conditions:

ADMINISTRATION DEPARTMENT

Contact City Attorney thru the Planning Division at (559) 585-2580
Concerning questions that you may have on the conditions listed below:

Defense and Indemnification Provisions:

1. That the applicant shall defend, indemnify, and hold harmless the City of Hanford ("City"), its officials, officers, employees, representatives, agents and attorneys, from and against all claims, damages, losses, judgments, liabilities, expenses and other costs, including litigation costs and attorney's fees, arising out of, resulting from, or in connection with, the City's act or acts leading up to and including approval of any environmental document and/or granting of any approvals relating to the Project. Applicant's obligation to defend, indemnify and hold the City harmless specifically includes, but is not limited to, any suit or challenge by any third party against the City which challenges or seeks to set aside, void or annul the legality or adequacy of any environmental document approved by the City or any approval related to the Project.
2. That the applicant's obligations to defend, indemnify and hold the City, its officials, officers and employees, representatives, agents and attorneys harmless under the provisions of this paragraph shall include, but not be limited to, the cost of preparation of any administrative record by City, staff time, copying costs, court costs, the costs of any judgments or awards against the City for damages, losses, litigation costs, or attorney's fees arising out of a suit or challenge contesting the adequacy of any approval of the environmental document, or any approval related to the Project, and the costs of any settlement representing damages, litigation costs and attorney's fees to be paid to other parties arising out of a suit or challenge contesting the adequacy of the approval of the environmental document or any other approval related to the Project, if the settlement so provides.
3. That the City may, at any time, require the applicant to reimburse City for costs that have been, or which the City reasonably anticipates will be, incurred by the City during the course of any action. Applicant shall reimburse City within thirty (30) days of receipt of an itemized written invoice from City. Failure of the Applicant to timely reimburse the City shall be considered a material violation of the conditions of approval of the Project.

4. That the applicant shall defend, indemnify, and hold harmless the City of Hanford, its officials, officers, employees, representatives, agents and attorneys, from and against any and all claims, damages, losses, judgments, liabilities, expenses and other costs, including, without limitation, litigation costs and attorney's fees, arising out of, resulting from, or in any way in connection with any violation or claim of violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the Project. Applicant's obligation to defend, indemnify and hold the City of Hanford harmless specifically includes, but is not limited to, any suit or administrative action against the City of Hanford which claims a violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the Project.
5. That the applicant obligations to defend, indemnify and hold the City of Hanford, its officials, officers, employees, representatives, agents and attorneys harmless as set forth herein, shall include, but shall not be limited to, staff time, copying costs, court costs, the costs of any judgments or awards against the City of Hanford for damages, losses, litigation costs, or attorney fees arising out of any violation or claim of violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the Project and costs of any settlement representing damages, litigation costs and attorney's fees to be paid to other parties arising out of any such proceeding or suit.
6. That the City of Hanford may, at any time, require the Applicant to reimburse the City of Hanford for costs that have been, or which the City of Hanford reasonably anticipates will be, incurred by the City of Hanford during the course of any action. Applicant shall reimburse the City of Hanford within thirty (30) days of receipt of an itemized written invoice from the City of Hanford. Failure of the Applicant to timely reimburse the City of Hanford shall be considered a material violation of the conditions of approval of the Project.

PLANNING DEPARTMENT

Contact Assistant Planner Gabrielle de Silva at (559)585-2578
Concerning questions that you may have on the conditions listed below:

General:

1. That the applicant hereby agrees to hold the City of Hanford and all of its departments, officers, agents, and employees free and harmless of and from all claims of any kind or nature arising out of or by reason of the approval of this project.
2. That approval of this project does not exempt compliance with all applicable sections of the Uniform Fire and Building Codes, Zoning Ordinance, Public Works Improvement Standards, and other City Ordinances except as modified by Planned Unit Development No. 2005-04; and except as may be determined by development rights of a Tentative Map per the Subdivision Map Act.
3. That the final map be submitted to the City Engineer and Community Development Department for compliance with the Vesting Tentative Subdivision Map approval prior to recording the final map.
4. That in accordance with Title 16 of the Hanford Municipal Code, all conditions of this subdivision listed herein, and contained in subsequent improvement agreements, excluding the landscape district, must be completed and accepted for maintenance by the City Council

prior to the final building inspection and occupancy permits being issued for the first house in the subdivision.

5. That four trees per lot be planted in the front yard at the time each lot is landscaped, in accordance with City Ordinance 17.18.100(F). For corner lots, a minimum of two trees are to be planted between the curb and sidewalk along both street frontages located adjacent to the lot. Developer shall submit a landscape and irrigation system improvement plan for each house plan proposed within the subdivision for City Community Development Department review and approval.
6. That landscape and irrigation plans be submitted for approval by the Community Development Department prior to building permits being issued. Said plans shall conform to Ordinance No. 10-02 "Standards and Procedures for Landscaping Design and Installation".
7. That all species of trees shall be selected from a list approved by the City Street Tree Commission.
8. That all pertinent conditions of approval for Planned Unit Development No. 2005-04 and the Development Agreement shall be conditions of approval for Vesting Tentative Subdivision Map No. 912.

Zoning:

1. That the proposed subdivision is subject to the "R-1-6" Single-Family Residential zone district standards, as modified by Planned Unit Development No. 2005-04. Setback requirements for all lots are as follows:

Front Yard

Covered Porch	10 feet minimum
Living Space	15 feet minimum
Garage	20 feet minimum

Side Yard

Interior	5 feet minimum
Corner (Street Side)	10 feet minimum
Corner (Street Side)	15 feet minimum at collector streets
Garage (Side Entry)	20 feet minimum
Covered Porch	10 feet minimum

Rear Yard

One-story	15 feet minimum
Multi-story	5 feet additional per story

Accessory Structures	5 feet from rear or side property line
Distance between structures	10 feet minimum

2. That lots 1-94 be limited to one single-family home.

Special Requirements:

1. That a right-to-farm provision be recorded with the recording of the final subdivision map to insure that future residents of the homes in the subdivision are aware of the adjacent agricultural uses and their right to continue to operate.
2. That each lot owner within Tract No. 912 shall care for and maintain the trees and lawn area located in the parkway in front of their lot(s). For corner lots, the lot owner shall also care for and maintain the parkway trees and lawn area along the street side of their lot. All species of trees shall be selected from a list approved by the City Street Tree Commission. The parkway is defined as that land area located between the street curb and the public sidewalk.
3. That the tree(s) and lawn area are to be properly pruned, mowed, sprayed, watered and fertilized on a regular on-going basis, in order to preserve the health and life of the tree(s) and lawn area.
4. That should the tree(s) and lawn area become damaged, severely pruned, neglected, removed or die, the lot owner shall replace said tree(s) and lawn area within thirty (30) days after the date of written notice from the City of Hanford. The tree(s) shall be replaced with a 15 gal. size tree of the same species that was originally planted. The lawn area shall be replaced with lawn. Rocks, bark, ground cover, plants or paving are not allowed in the parkway
5. That the "NOTICE, DISCLOSURE, ACKNOWLEDGMENT AND AGREEMENT OF CONTINUED CARE AND MAINTENANCE BY LOT OWNER OF THE TREES AND LAWN AREA PLANTED IN THE PARKWAY" be recorded concurrent with the recording of the subdivision final map to insure that future residents of homes in the subdivision are aware of the obligation to maintain the landscaping within the park strip. Each lot owner is to be provided a copy of said Notice, Disclosure, Acknowledgement, and Agreement, attached as in Exhibit B.
6. That 10% of all units be made affordable to persons of moderate income. Lots are to be distributed throughout the subdivision.

Environmental Requirements:

1. That all mitigations identified in the Mitigation Monitoring and Reporting Program prepared for the Live Oak Master Plan Environmental Impact Report be made conditions of Vesting Tentative Tract 912.
2. That if fireplaces are proposed in the residential units, natural gas fireplaces or EPA certified wood-burning fireplaces/stoves are to be installed in every unit that has a fireplace. Conventional open-hearth fireplaces are not allowed.
3. That electric or low-nitrogen oxide (NO) emitting gas-fired water heaters be installed in each house.
4. That natural gas lines and electrical outlets be installed in backyards or patios to encourage use of gas and/or electric barbecues for each house.
5. That electrical outlets be installed around the exterior of the residential units to encourage use of electric lawn mower, edgers, etc.

6. That options offered as part of the Live Oak Master Plan be available to buyers within this subdivision. Options to include solar panels, drive strips with front facing garages instead of driveways, and second units to be allowed on lots 5,500 sq. ft. and larger. Options shall be shown on the master building plans so as to be available to all buyers of qualified lots.
7. That the project is subject to the San Joaquin Valley Unified Air Pollution Control District's Indirect Source Review Rule 9510. **An application must be filed with the District immediately upon approval of project.** For more information and instruction, contact the District's ISR staff by telephone at (559) 230-5800 or by email at ISR@valleyair.org.
8. That the project is subject to all rules and regulations of the San Joaquin Valley Unified Air Pollution Control District for residential development.

Archeological:

1. That if any archeological resources or endangered species are discovered during the construction, the contractor shall stop excavation and notify the Community Development Department for appropriate mitigation measures.

Dust Control:

1. That the following dust control practices be implemented:

Pre-construction

That material excavated or graded be sufficiently watered to prevent excessive amounts of dust. Watering should occur at least twice a day with complete coverage, preferably in the late morning and after work is completed for the day.

That clearing, grading, earth moving, or excavation activities cease during periods of high winds greater than 20 mph.

That earth material transported off-site be either sufficiently watered or securely covered to prevent excessive amounts of dust.

That areas disturbed by clearing, earth moving, or excavation activities be minimized at all times.

That where acceptable to the Fire Department, weed control should be accomplished by mowing instead of disking, thereby leaving the ground undisturbed and with a mulch covering.

During Construction

After clearing, grading, earth moving, or excavation operations, during the construction phase, fugitive emissions should be controlled by the following methods:

That nonactive portions of the construction site be restricted from vehicular movement.

That active portions of the site should be sufficiently watered to prevent excessive amounts of dust.

General Fugitive Dust

At all times, fugitive dust emissions should be controlled using the following procedures:

That on-site vehicle speed should be limited to 15 mph.

That areas with vehicle traffic be watered periodically or have petroleum-based palliatives applied for stabilization of dust emissions.

That during rough grading and construction, streets next to the project site be swept at least once per day, or as required to remove silt, which may have accumulated from construction activities.

That during rough grading and construction, access to the site should require the building of an apron into the project site from adjoining paved roadways. The apron should be paved or have a petroleum-based palliative applied.

Ozone Precursors

At all times, ozone precursor emissions should be controlled by the following methods:

That all internal-combustion engine drive equipment be properly maintained and well tuned according to the manufacturer's specifications.

FIRE DEPARTMENT

Contact Fire Inspector Susan Martinez @ 559-585-4793 or smartinez@cityofhanfordca.com
Concerning questions that you may have on the conditions listed below:

General:

1. That water mains and fire hydrants be installed before housing construction (unless otherwise approved by the Fire Department) and be of sufficient capacity for fire protection as well as domestic supply. Fire hydrants are to be located as designated by the Fire Department. All fire hydrants and mains are to meet City standards.
2. That the blue dot fire hydrant location markers be installed six inches from the middle of the street.
3. That an all weather 20 ft. wide road be provided throughout the subdivision where houses are being constructed, as required by City Ordinance No. 929, prior to the issuance of building permits.

BUILDING DIVISION

Contact Building Official: Tom Webb (559) 585-2584
Concerning questions that you may have on the conditions listed below:

Soils:

1. That a preliminary soils report, prepared by a qualified soil's engineer, be provided to the Engineering and Building Departments prior to approval of Subdivision Improvement Plans.
2. That a final soils report, prepared by a qualified soils engineer, be provided to the Engineering Department and Building Division prior to acceptance of the subdivision improvements by the City or issuance of building permits or whichever comes first.
3. That the developer retain the design engineer to inspect and verify that grading within the subdivision was constructed as per the approved design, and a copy of the report be provided to the Building Division prior to building permit issuance.

Street Names and Addresses:

1. That street addresses for each lot, as provided by the Building Division, be included on the subdivision final map.
2. That street names, as shown on the tentative subdivision map, be included on the subdivision final maps.
3. That all single family dwellings within the subdivision have illuminated address numbers 2-¼ inches high or be within an illuminated area with 3-½ inch high address numbers installed on the front most part of the building leading to the entrance. In either case the address numbers shall be of contrasting colors with the background.
4. That Havard Lane be named W. Sunset Lane to be in compliance with the City of Hanford Ordinance for street names.

PUBLIC WORKS DEPARTMENT

Contact Jose Lemus, Senior Engineer, at (559) 585-2556
Concerning questions that you may have on the conditions listed below:

Maps and Plans:

1. That the developer shall submit to the City Engineer a set of construction plans on 24" x 36" sheets for all required improvements. Plans shall be prepared by a registered civil engineer and shall include a drainage and utility plan identifying sizes and location of sanitary sewer, storm drainage and water mains, curbs, gutters, sidewalks, masonry walls, street lights, street improvements, park and landscape improvements and all other infrastructure required to complete development. All plans shall be approved by the City Engineer and all other involved agencies before the release of the building permits.
2. That prior to beginning any construction or within ten (10) calendar days after the approved plans are released by the City, the developer shall submit to the City of Hanford Engineering Division one (1) reproducible and four (4) blue line copies of the approved set of construction plans and four (4) bound sets of the approved construction specifications, if any.

3. That within twenty (20) calendar days after all improvements have been constructed and accepted by the City, the developer shall submit to the City of Hanford Engineering Division one (1) reproducible and one (1) blue line copy of the approved set of construction plans revised to reflect all field revisions and marked "RECORD DRAWING."

Easements:

1. That all easements shall be designated on the subdivision final map as required by the utility companies and where needed for providing service to street lights and landscape improvements as designated by the City Public Works Department.
2. That all easements for irrigation ditches and / or irrigation pipelines shall be legally abandoned or relocated to the satisfaction of the City Engineer prior to the recording of a subdivision final map.

Dedications:

1. That all proposed streets and street extensions, located as shown on the tentative subdivision map, shall be dedicated to the City as public right-of-way, and any alteration of existing utilities shall be the responsibility of the developer.
2. That proposed open space/drainage facility, located as shown on the tentative subdivision map (Lot "A"), shall be dedicated to the City for landscape and public utility purposes concurrent with the recording of a subdivision final map.

Restricted Access:

1. That a one-foot reservation strip shall be established at the end or sides of all streets abutting undeveloped property and be indicated on the subdivision final map.

Street Improvements:

1. That all improvements consisting of sanitary sewers, storm sewers, water mains, concrete curbs, gutters, sidewalks, street lights, landscaping, street sub-grading, surfacing and striping and all other improvements shall be installed in accordance with Chapter 16.24, "Improvements", of the Hanford Municipal Code and this resolution pertaining to subdivision improvements in effect at the time of filing the tentative subdivision map.
2. That all streets within the subdivision shall be developed to residential street standards ST-32, modified as indicated on the tentative subdivision map, except the following:
 - a. Houston Avenue shall be developed as a major Arterial street along the development frontage of the subdivision in conformance with City Standards ST-17 and ST-18, modified as indicated on the tentative subdivision map and as follows:
 1. Traffic index used for the design of the street structural section shall be a minimum of 10.0.
 2. A geotechnical report shall be submitted to the City Engineer identifying the existing structural section thickness of Houston Avenue along the development frontage of

the subdivision concurrent with the submittal of development improvement plans. Reconstruction of Houston Avenue (or another form of mitigation as approved by the City Engineer) along the development frontage of the subdivision will be required if the existing street structural section does not conform to City Standards and Specifications.

3. Street improvements shall include, but not be limited to, the installation of concrete curb & gutter, sidewalk, street lights, street striping, signing, and transitional paving tapers to provide for both acceleration / deceleration lanes at entrance to subdivision. Pavement widening along Houston Avenue property frontage other than as stated herein shall be deferred until additional travel lane capacity is warranted. The installation of a raised concrete median in Houston Avenue is not required.
4. The street transition paving and restriping as needed to transition traffic into and out of the entrance of the subdivision from the Houston Avenue and shall comply with the Manual on Uniform Traffic Control Devices (MUTCD) Standards (design speed shall be 55 mph).
3. That street lights shall be installed throughout the subdivision in conformance with City Standard GE-56 and PUD master plan requirements. Street lights located along Houston Avenue shall be octagon concrete type poles as indicated on City Standard GE-56. Street lights located along all other streets within the subdivision shall be decorative lights in conformance with PUD master plan and Southern California Edison Company requirements. Street lights shall be located as designated by City Engineer.
4. That the development is subject to a transportation mitigation impact fee as required by City Municipal Code section 15.48 and any revisions thereof. Developer shall be entitled to a credit towards impact fees for permanent street improvements constructed by developer within Houston Avenue, consisting of curb & gutter, street striping, signing and street paving from gutter lip to edge of the existing Houston Avenue street section. Temporary transitional paving improvements beyond the development limits, and any removal and reconstruction of portions of the existing Houston Avenue street section required to facilitate drainage of the subdivision, will not be subject to a credit. Developer shall submit competitive bid proposals to substantiate the cost of reimbursable items for City Public Works department review and approval prior to beginning construction. All bids and other documentation materials submitted for reimbursement consideration must be well organized and tabulated in a professional manner for convenient reference by Public Works staff. Improvement quantities and costs proposed for reimbursement must be easily identifiable and clearly distinguished from non-reimbursable subdivision improvements without requiring additional quantity calculations and cost breakdowns.
5. That the developer is responsible for payment of a proportionate cost share of interim improvements to mitigate impacts to the intersection of 13th Avenue / State Highway 198 interchange as identified in project Environmental Impact Report and Traffic Impact Study prepared by the firm of KD Anderson Transportation Engineers dated 3/20/06. Payment of applicant's fair share of interim improvements costs shall be prorated and collected by City prior to the recording of a subdivision final map. Mitigation fees shall be held in a separate interest bearing account and reserved for the interim improvements identified above.

Backup Parkway Improvements:

1. That the developer shall design and construct the following improvements along the development frontage of Houston Avenue:
 - a. Landscaping and irrigation system improvements along the development frontages of Houston Avenue (right of way and landscape parcel areas). Landscape plans shall be prepared by a licensed landscape architect. Plans shall be reviewed and approved by both the City Public Works and Community Development Departments.
2. That a minimum of four trees per lot shall be planted in the front yards of homes at the time each lot is landscaped in accordance with City Ordinance 17.18.100(F). For corner lots, a minimum of two trees per lot are to be planted between the curb and sidewalk along both street frontages located adjacent to the lot. Trees planted in the park strip shall be located in conformance with City Standard GE-13. Developer shall submit a landscape and irrigation system improvement plan for each house plan proposed within the subdivision for City Community Development department review and approval.
3. That all species of trees and plants shall be selected from a list approved by the City Street Tree Commission.
4. That all new and existing electrical boxes, control boxes and other equipment boxes (excluding traffic control) cabinets along the street frontage shall be painted hunter green or be of a color compatible with the landscaping. Prior to painting, all metal surfaces shall be treated with an etching primer (zinc chromate) or equivalent. All above-ground pedestals and other utility boxes shall be located between back of sidewalk and masonry wall.

Open Space/ Drainage Facility Improvements:

1. That all open space / drainage facility improvements shall conform to PUD master plan requirements and City Standards and Specifications. Developer shall retain the services of a landscape architect to design all park facility and open space perimeter improvements.

Sewer Improvements:

1. That the developer's engineer shall provide a sanitary sewer master plan complete with calculations for the entire subdivision for City Public Works Department review and approval prior to recording a subdivision final map. Provisions shall be made to provide service for future areas of development located adjacent to the subdivision.

Storm Drainage Improvements:

1. That the developer's engineer shall provide a storm drainage master plan, including entire slough area, complete with calculations for the entire subdivision for City Public Works Department review and approval prior to recording a subdivision final map. Provisions shall be made to provide service for future areas of development located adjacent to the subdivision.
2. That all drainage from proposed development shall be directed to the Sand Slough drainage basin located as shown on the tentative subdivision map.

3. That developer shall install a minimum 36 inch diameter storm drain pipeline and appurtenances within Houston Avenue in conformance with City storm drainage master plan requirements. The proposed storm drain line will connect the Sand slough basin located as shown on the tentative subdivision map to an existing slough basin located south of Houston Avenue and just east of proposed development.
4. That development is subject to a storm water development impact fee as required by City Ordinance No. 98-14, or any revisions thereof. Developer shall be entitled to a credit towards their storm water development impact fee for capacity enhancement improvements constructed within Sand Slough that satisfy all (full credit) or a portion (partial credit) of their storm water storage requirements.
5. That developer shall be required to comply with State of California Water Resources Control Board requirements specifically related to the National Pollution Elimination System Permit process.

Water System:

1. That the developer's engineer shall provide a Water System Master Plan complete with calculations for the entire subdivision for City review and approval prior to recording a subdivision final map. Provisions shall be made to provide service for future areas of development located adjacent to the subdivision.
2. That a minimum 18 inch diameter water main and appurtenances shall be extended within Houston Avenue from the Eastern boundary of proposed development to the Western boundary of proposed development, as shown on the Tentative Subdivision Map, Improvements shall conform to the City's water system master plan.
3. Developer maybe entitled to a refund for water main over-sizing in accordance with City Municipal Code Section 13.04. Developer's engineer shall be required to submit calculations to substantiate request for an over-sizing refund to the City Public Works Department for review and approval. If applicable, developer shall submit competitive bid proposals to substantiate costs for water main over-sizing for City Public Works Department review and approval prior to beginning construction.
4. That developer is entitled to a reimbursement agreement in accordance with City Municipal Code section 13.04 for water system improvements installed within Houston Avenue, which also provide a benefit to others. Developer shall submit competitive bid proposals to substantiate costs for said water system improvements for Public Works Department review and approval prior to beginning construction.
5. That all existing water wells located within the proposed development shall be abandoned in conformance with State of California Department of Health Standards.

Assessment District:

1. That the developer shall enter into an agreement with the City for the formation of a tax assessment district for the maintenance of neighborhood open space landscaping (Lot "A"), landscaping along South Scarlet Drive from Houston Avenue to the south boundary of subdivision, subdivision street lighting, decorative fencing, and landscaping located along

the property frontage of Houston Avenue located as shown on the tentative subdivision map.

2. That prior to funds from the tax assessment district being obtained, the developer shall be responsible for the maintenance of all landscaping, including open space areas, subdivision street lighting and decorative fencing.

Development Impact Fees:

1. That the development is subject to City of Hanford impact fees as outlined in the recorded Development Agreement for the Live Oak residential development project.
2. That the development is subject to additional transportation related mitigation fees as identified in the Final Environmental Impact Report approved for the Live Oak residential development project including mitigation fees for SR 198 /13th Avenue interim interchange improvements.

Public Utilities:

1. That all utilities, including cable TV, shall be installed underground within the subdivision. The developer shall be required to notify the utility companies in writing of this requirement.
2. That all utility transformers within the development are recommended to be subsurface type installations. The developer has the option of placing the transformers above or below ground. If above ground transformers are to be installed, the developer is to meet with City Engineering and Edison Company to determine an appropriate location of the transformer away from street view. The developer is responsible for notifying Southern California Edison Company in writing of the type of installation.

KINGS COUNTY HEALTH DEPARTMENT

Contact Troy Hommerding at (559) 584-1411

Concerning questions that you may have on the conditions listed below:

1. As per the Kings County Public Health Officer, Coccidioides immitis, the fungus that causes valley fever, a serious and potentially long-term respiratory illness, is endemic in the soils of Kings County. Construction activities that disturb soils containing the spores of the fungus can put workers and the nearby public at risk. Effective dust control must be maintained on the job site at all times in order to reduce the risk of valley fever to workers and nearby residents. More information regarding the prevention of work related valley fever is available at www.cdph.ca.gov/programs/hesis/Documents/CocciFact.pdf and <http://www.cdph.ca.gov/programs/ohb/Documents/OccCocci.pdf>. Contact the San Joaquin Valley Air Pollution Control District for more information on dust control techniques.
2. Due to the severe drought conditions and water restrictions/reductions issued by the State of California, drinking water, if used for dust control, should be minimized or alternative methods should be sought for dust control for this project.

EXPIRATION:

That this vesting tentative subdivision map becomes null and void after 24 months has elapsed from the date of approval, if the above conditions have not been satisfied or bonded for, and a final map recorded. A time extension may be granted by the Commission upon written request by the applicant. The time extension, if approved, will be subject to the improvement standards and fees in effect at the time the extension for the tentative subdivision map is granted.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Hanford by the following vote:

AYES: Commissioners
NOES: Commissioners
ABSTAIN: Commissioners
ABSENT: Commissioners

STATE OF CALIFORNIA)
COUNTY OF KINGS)ss
CITY OF HANFORD)

I, **DARLENE R. MATA** Secretary of the Planning Commission of the City of Hanford, do hereby certify the foregoing Resolution was duly passed and adopted by the Planning Commission of the City of Hanford at a regular meeting thereof held on the **September 8, 2015**.

Darlene Mata, Community Development Director
Secretary of the Planning Commission

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO : _____

CITY OF HANFORD
COMMUNITY DEVELOPMENT DEPARTMENT
317 N. Douty Street
Hanford, CA 93230

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE, DISCLOSURE, ACKNOWLEDGMENT AND AGREEMENT OF CONTINUED CARE AND MAINTENANCE BY LOT OWNER OF THE TREES AND LAWN AREA PLANTED IN THE PARKWAY FOR TRACT NO. 912

NOTICE IS HEREBY GIVEN that City of Hanford Planning Commission Resolution No. 2005-04 approved the development of Tract No. 912 subject to the following conditions pertaining to the continued care and maintenance of the tree(s) and lawn area located in the parkway of said Tract No. 912 by the lot owners in Tract No. 912:

CONDITIONS:

1. Each lot owner within Tract No. 912 shall care for and maintain the trees and lawn area located in the parkway in front of their lot(s). For corner lots, the lot owner shall also care for and maintain the parkway trees and lawn area along the street side of the lot. All species of trees shall be selected from a list approved by the City Street Tree Commission. The parkway is defined as that land area located between the street curb and the public sidewalk.
2. The tree(s) and lawn area are to be properly pruned, mowed, sprayed, watered and fertilized on a regular on-going basis in order to preserve the health and life of the tree(s) and lawn area.
3. Should the tree(s) and lawn area become damaged, severely pruned, neglected, removed, or die, the lot owner shall replace said tree(s) and lawn area within a reasonable time frame, but no later than thirty (30) days after the date of written notice from the City of Hanford. The tree(s) shall be replaced with a 15 gal. size tree of the same species that was originally planted. The lawn area shall be replaced with lawn. Rocks, bark, ground cover, plants or paving are not allowed in the parkway.
4. We understand and agree that our failure to comply with the conditions identified above shall constitute a breach of our obligations as identified in this document and shall also constitute a violation of the provisions of Chapter 17.68 of the Hanford Municipal Code.

WE HEREBY ACKNOWLEDGE AND UNDERSTAND our obligations for the care and maintenance of the parkway along the street frontage(s) of our lot and agree to be bound by the same.

PROPERTY ADDRESS: _____, Hanford, CA 93230

LEGAL DESCRIPTION OF PROPERTY: Lot No. _____ of Tract No. 912, Unit No. _____

ASSESSOR'S PARCEL NUMBER: _____ - _____ - _____

Owner's Signature _____
Print or Type Owner's Name _____

Date _____

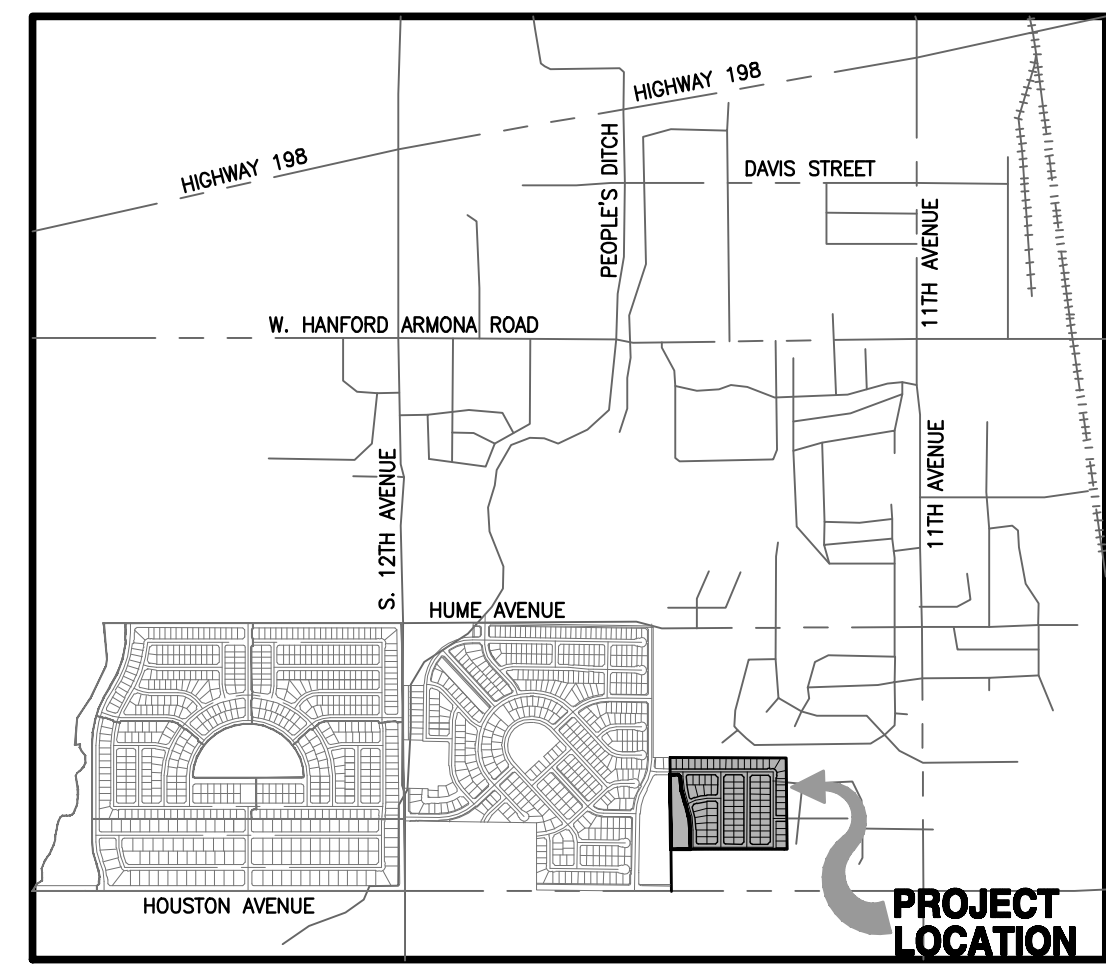
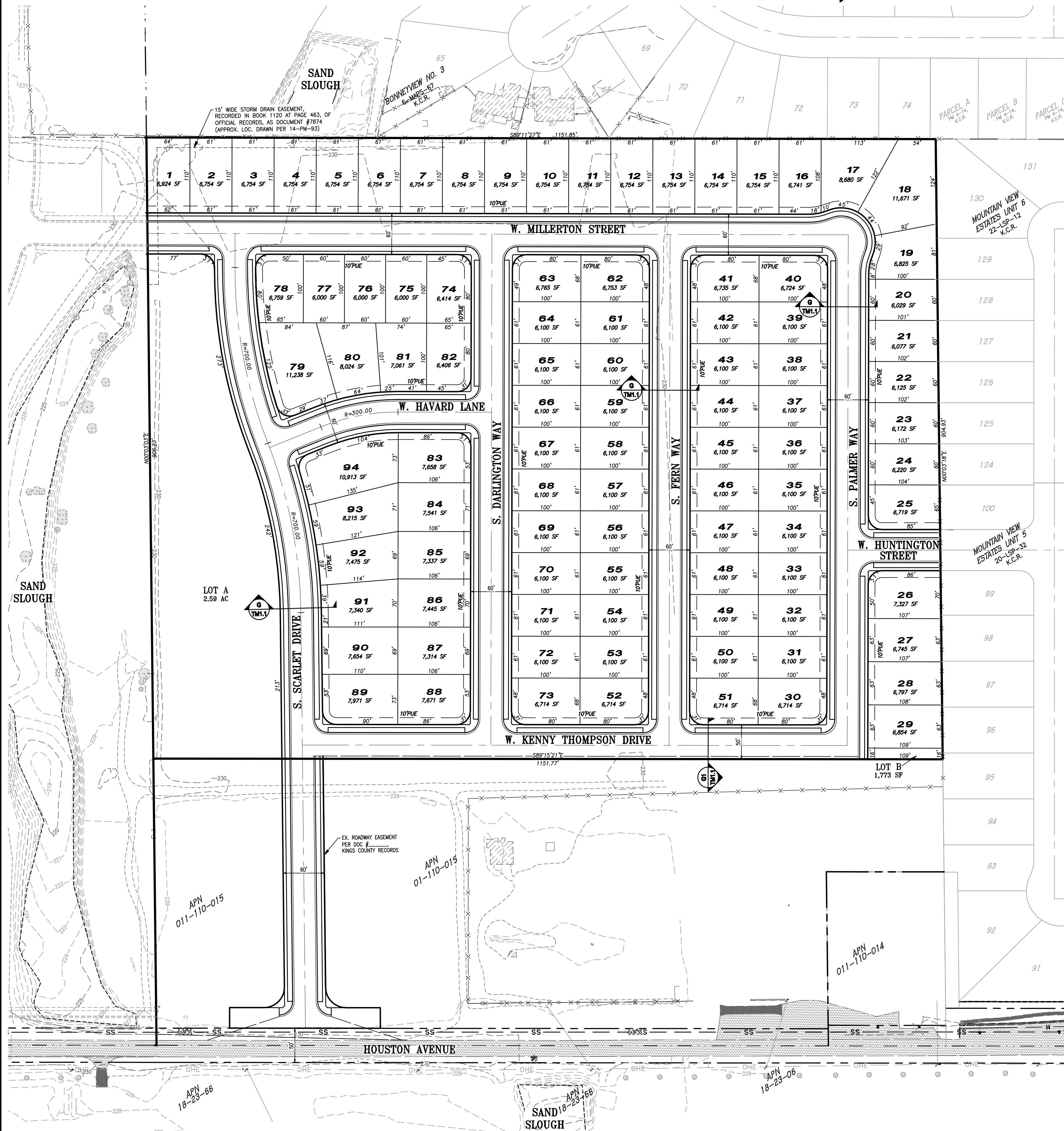
Owner's Signature _____
Print or Type Owner's Name _____

Date _____

(Attach Notary acknowledgment)

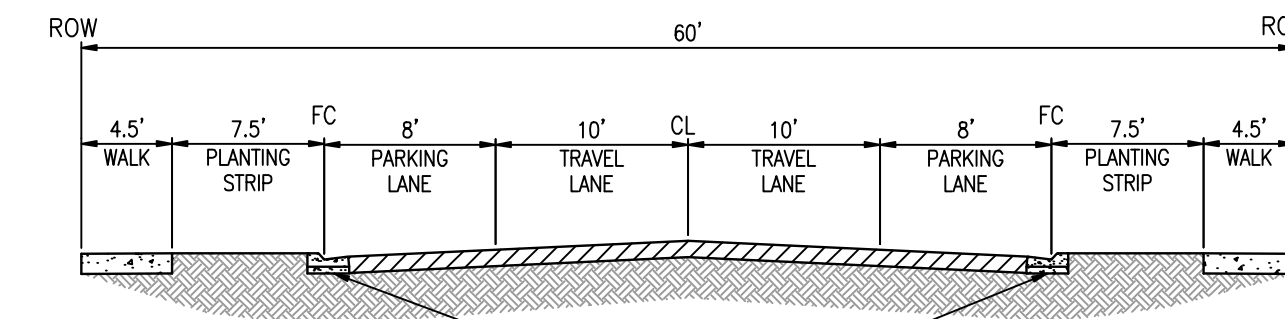
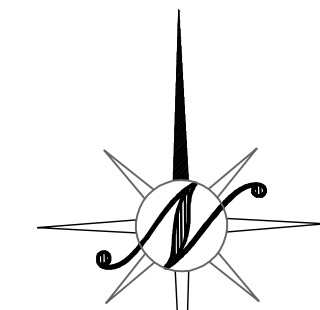
Attachment: Planning Commission Resolution 2015-22 (1066 : Tentative Tract 912 (Live Oak East))

LIVE OAK EAST
VESTING TENTATIVE SUBDIVISIO MAP 912
HANFORD, CALIFORNIA



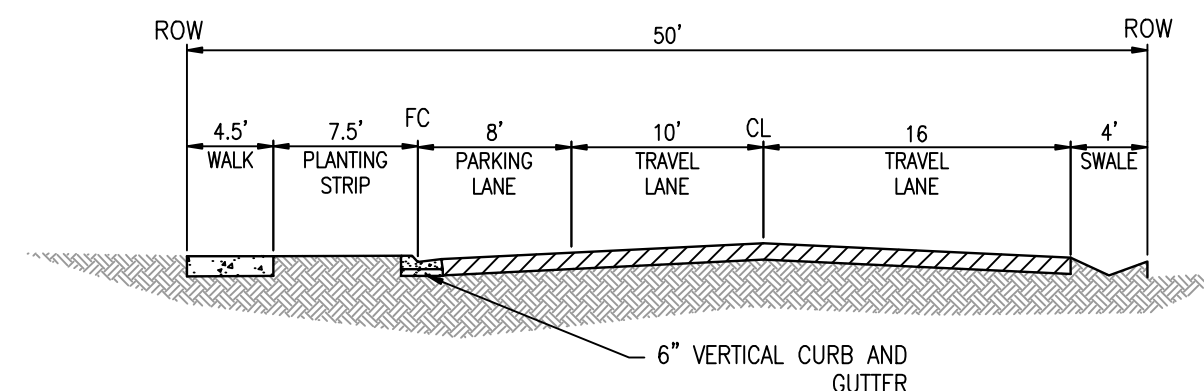
VICINITY MAP

N.T.S



60' LOCAL STREET (CROSS SECTION G OF THE LIVE OAK MASTER PLAN)

REFERENCE FIGURES 4-2 & 4.10 OF THE LIVE OAK MASTER PLAN
N.T.S.



50' HALF WIDTH LOCAL STREET (MODIFIED CROSS SECTION G OF THE LIVE OAK MASTER PLAN)

REFERENCE FIGURES 4-2 & 4.10 OF THE LIVE OAK MASTER PLAN
N.T.S.

PROJECT INFORMATION

OWNER/SUBDIVIDER:

BMH, INC.
707 ALDRIDGE ROAD, SUITE B
VACAVILLE, CA 95688
PHONE: (707) 451-8111
ATTN: TOM WHALEN

ENGINEER:

NORTHSTAR ENGINEERING GROUP, INC.
620 12TH STREET MODESTO, CA 95354
PHONE: (209) 524-3525
FAX: (209) 524-3526
ATTN: ANTHONY DE MELO, P.E.

SITE INFORMATION:

1. LEGAL DESCRIPTION: 'LEGAL DESCRIPTION' OF ALL EXISTING 'PARCELS' WITHIN PROPOSED AREA ARE CONTAINED WITHIN THE PRELIMINARY REPORTS SUBMITTED WITH THIS APPLICATION.
2. ASSESSOR'S PARCEL NUMBERS AND ADDRESSES: 011-110-016
3. APPROXIMATE SITE SIZE: NET 24.0 ± ACRES.
4. PROPOSED USE: 94 SINGLE FAMILY RESIDENCES.
5. EXISTING USE: AGRICULTURE
6. EXISTING GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL.
7. EXISTING ZONING DESIGNATION: R-1-6.
8. PROPOSED MINIMUM LOT SIZES: 60'x100' - 94 UNITS
9. STREET NAMES TO BE APPROVED BY CITY OF HANFORD STAFF.
10. ALL EXISTING STRUCTURES AND TREES WITHIN THE BOUNDARY OF THE PROPOSED SITE TO BE REMOVED IN ACCORDANCE WITH CITY OF HANFORD STANDARDS AND SPECIFICATIONS.
11. ALL CONTOURS SHOWN IN 1' INCREMENTS.
12. THE PROPERTY LINE DISTANCES, BEARINGS AND ALL OTHER DIMENSIONS SHOWN ON THIS MAP HAVE BEEN TAKEN FROM DEEDS, ASSESSOR'S MAPS, OR G.I.S.
13. LOT "A" TO BE DEVELOPED AS COMMUNITY OPEN SPACE, DEDICATED TO AND MAINTAINED BY THE CITY OF HANFORD.
14. ALL STREET SECTIONS AND MODIFIED SECTIONS ON THIS MAP ARE FROM THE LIVE OAK MASTER PLAN.

STATEMENT OF SUBDIVIDER:

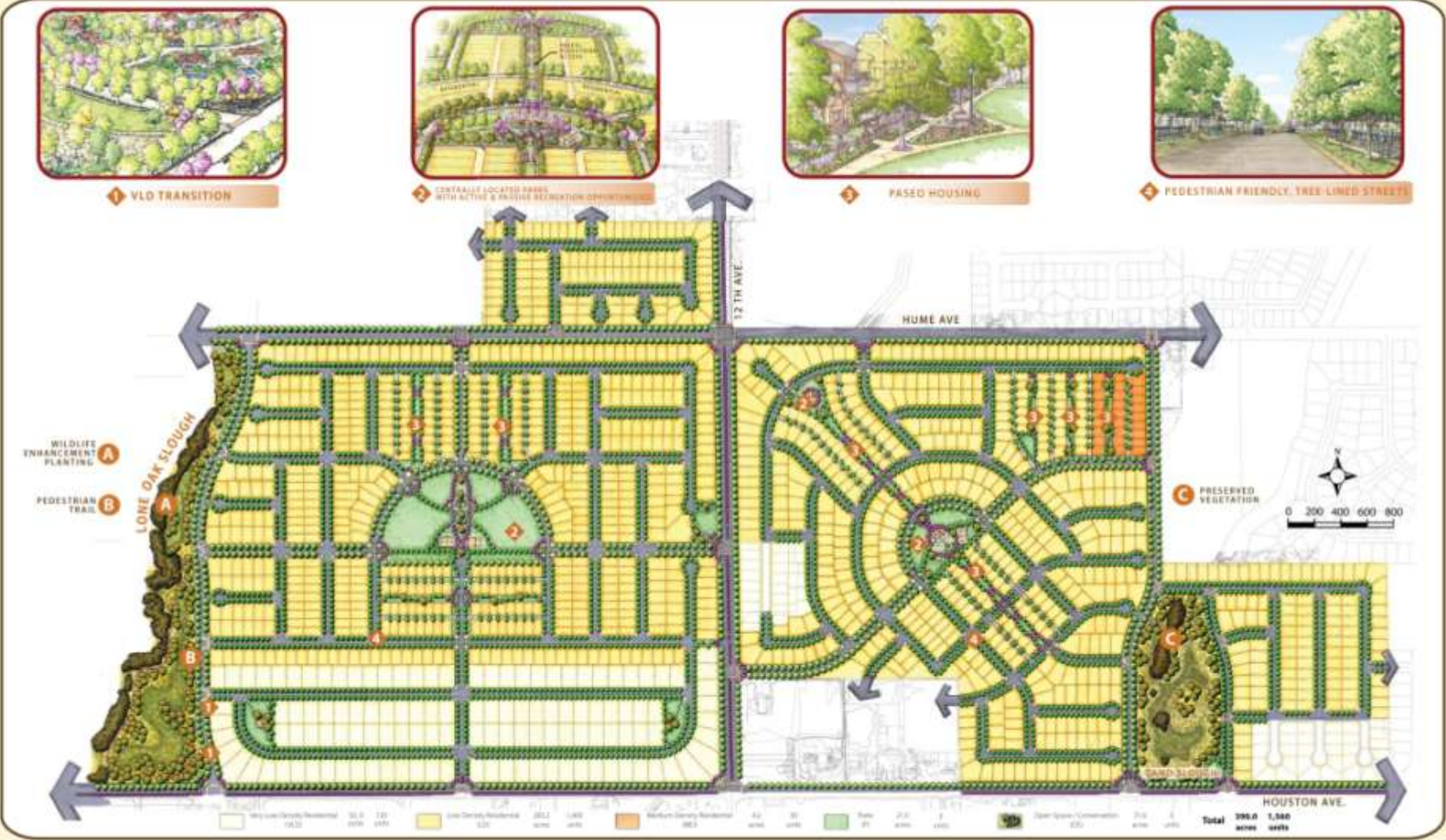
15. ALL IMPROVEMENTS AND PUBLIC UTILITIES TO BE MADE OR INSTALLED AT THE TIME OF DEVELOPMENT, ALL IMPROVEMENTS TO BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF HANFORD STANDARDS AND SPECIFICATIONS UNLESS OTHERWISE NOTED.
16. WATER, SEWER, STORM DRAIN AND STREETS ARE TO BE PUBLIC IMPROVEMENTS:
UTILITY/SERVICE PROVIDERS:
 - WATER: CITY OF HANFORD
 - SEWER: CITY OF HANFORD
 - STORM DRAIN: CITY OF HANFORD
 - GAS: SOUTHERN CALIFORNIA GAS COMPANY
 - ELECTRICITY: SOUTHERN CALIFORNIA Edison
 - FIRE PROTECTION: CITY OF HANFORD
 - TELEPHONE: SBC
17. IN ACCORDANCE WITH SECTION 66456.1 OF THE "SUBDIVISION MAP ACT", THE OWNER RESERVES THE RIGHT TO FILE FOR MULTIPLE FINAL MAPS.
18. PURSUANT TO SECTION 66452.6 OF THE "SUBDIVISION MAP ACT", THE TERM OF THIS MAP MAY EXTEND 10 YEARS.

LEGEND

	EXISTING	PROPOSED
BOUNDARY LINE		N/A
SECTION LINE		N/A
BARBED WIRE FENCE		N/A
WOOD FENCE		N/A
CHAIN LINK FENCE		N/A
TREES		N/A
TREE CLUSTERS		N/A
1' CONTOURS		N/A
ASPHALT		N/A
POWER POLE		N/A
STRUCTURE		N/A
MASONRY WALL		N/A
CURB, GUTTER AND SIDEWALK		N/A

LAND USE PLAN

LIVE OAK MASTER PLAN



Gabrielle deSilva

From: Hommerding, Troy [Troy.Hommerding@co.kings.ca.us]
Sent: Thursday, August 06, 2015 2:02 PM
To: Gabrielle deSilva
Subject: Comments for Tentative Track Map 912 (504.0520)

Thank you for the opportunity to comment on this project. Our office offers the following comments:

1. As per the Kings County Public Health Officer, *Coccidioides immitis*, the fungus that causes valley fever, a serious and potentially long-term respiratory illness, is endemic in the soils of Kings County. Construction activities that disturb soils containing the spores of the fungus can put workers and the nearby public at risk. Effective dust control must be maintained on the job site at all times in order to reduce the risk of valley fever to workers and nearby residents. More information regarding the prevention of work related valley fever is available at www.cdph.ca.gov/programs/hesis/Documents/CocciFact.pdf and <http://www.cdph.ca.gov/programs/ohb/Documents/OccCocci.pdf>. Contact the San Joaquin Valley Air Pollution Control District for more information on dust control techniques.
2. Due to the severe drought conditions and water restrictions/reductions issued by the State of California, drinking water if used for dust control, should be minimized or alternative methods should be sought for dust control for this project.

Troy Hommerding, MPH, REHS
Kings County Environmental Health Services
330 Campus Dr.
Hanford CA 93230

COPY

RESOLUTION NO. 09-57-R**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HANFORD
APPROVING PLANNED UNIT DEVELOPMENT NO. 2005-04
FILED BY: MMV DEVELOPMENT, LLC**

At a regular meeting of the City Council of the City of Hanford duly called and held on **September 15, 2009**, it was moved by Council Member **CHIN**, seconded by Council Member **SORENSEN**, and duly carried, that the following resolution be adopted:

WHEREAS, Planned Unit Development No. 2005-04, filed by MMV Development proposing to construct a 1,526-lot residential development with variations from the City's zoning standards on approximately 390 acres, was presented to the City Council of the City of Hanford; and

WHEREAS, the real property that is the subject of this Planned Unit Development (PUD) application is generally located on the east and west sides of 12th Avenue between Hume Avenue and Houston Avenue (APN: 018-172-010, 012, 029, 031, 032, 018-112-017, 027, 052, 053, 073, 074, and 075) in Hanford, California as depicted in Exhibit "A" which is attached hereto and made a part hereof; and

WHEREAS, the Final Environmental Impact Report and all notices related thereto were prepared in compliance with the California Environmental Quality Act ("CEQA") and the City of Hanford CEQA Guidelines; and

WHEREAS, on the basis of the application, the documentation and information provided in the staff report and the evidence and testimony submitted at the public hearing, and Environmental Impact Report for the Live Oak Project, the City Council of the City of Hanford hereby makes findings in accordance with Section 15091 of the CEQA Guidelines and as specifically articulated in an appendix to the Final EIR and incorporated herein by this reference; and

WHEREAS, the Final Environmental Impact Report identified significant environmental impacts that can be mitigated to substantially lessen the environmental effects relating to Air Quality,

Attachment: Exhibit D: Planned Unit Development 2005-04 Conditions (1066 : Tentative Tract 912 (Live Oak East))

Biological Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Public Facilities and Services, and Transportation and Circulation; and

WHEREAS, the City Council has systematically identified both the significant effects of the proposed project and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects in accordance with the provisions of the California Environmental Quality Act as more specifically articulated in “The Mitigation Monitoring and Reporting Plan” in an appendix of the final EIR and incorporated herein by this reference; and

WHEREAS, the Final Environmental Impact Report also identified unavoidable significant adverse impacts regarding Agricultural Resources, Air Quality, and Energy Conservation and Climate Change; and

WHEREAS, Section 15093 of the CEQA Guidelines requires the City to balance the benefits of the Project against its unavoidable environmental impacts in determining whether or not to approve the Project; and

WHEREAS, the City Council finds that the following statement of overriding considerations can be made for the unavoidable significant environmental impacts identified by the Final Environmental Impact Report:

The City balanced the economic, legal, social and technological and other benefits of the proposed project and determined that the unavoidable adverse environmental impacts identified above may be considered acceptable due to the following specific considerations which outweigh the unavoidable adverse environmental impacts of the proposed project. Benefits of the proposed Project are stated herein, are determined to be unto itself and independent of the other project benefits, a basis for overriding all identified unavoidable environmental impacts.

- The proposed project will result in significant unavoidable impacts to agricultural land, air quality, and energy conservation and climate change. In adopting the Hanford General Plan Update, the City Council adopted a Statement of Overriding Considerations

for the loss of agricultural land and air quality impacts accruing to implementation of the Plan. The approval of the Live Oak project is considered implementation of the Hanford General Plan.

- The project will meet the objectives of the General Plan to conveniently serve current and future residential needs, be adequately served by arterial streets, and contribute to the attractiveness of the community and to the City's tax base.
- The proposed project is located on major arterial and collector streets in the City and adjacent to major public utilities with adequate capacity to accommodate its development.
- In adopting the finding of overriding considerations for the Hanford General Plan Update in 2002, the City Council recognized that the population of the City of Hanford will continue to grow and there will be a need to provide adequate land to serve the needs of existing and future population. The City is essentially surrounded by agricultural land and any growth will cause the conversion of agricultural land. The need to adequately house and provide services to a growing population outweighed the preservation of agricultural land. The project would provide a substantial increase in assessed value of the property over the agricultural state of the land that has the potential to increase revenues to all levels of local government to deliver necessary services.
- The project will expand improvements to infrastructure commensurate with its impacts on those systems.
- The City has adopted reasonable and feasible mitigation measures to the extent it has authority to reduce air quality, energy conservation and climate change impacts from the project.
- While the City may have an impact on urban designs that promote the use of bicycles, pedestrian, and public transit, local policies have little impact on the major causes of air

pollution whose conditions are controlled by the State and Federal Government. Motor vehicles are among the leading causes of air pollution in the Valley. The Valley's geographic location in comparison to other regions also adds to increased air pollution. Exemptions for certain kinds of agricultural activities also add to diminished air quality. The California Air Resources Board and the San Joaquin Valley Air Pollution Control District have the authority to promulgate regulations that affect Hanford and all other cities in California that may lead to major improvements in air quality. The City of Hanford does not have authority to make substantial reductions in motor vehicle air pollution affecting the City.

WHEREAS, the City of Hanford Planning Commission, at its regularly scheduled meeting held on August 11, 2009, held a public hearing and received testimony and evidence for and against the proposed Planned Unit Development. After closing the public hearing, the City of Hanford Planning Commission, by resolution, recommended that the City Council of the City of Hanford certify the Final Environmental Impact Report and approve Planned Unit Development No. 2005-04; and

WHEREAS, the City Council of the City of Hanford, at its regularly scheduled meeting held on September 15, 2009, held a public hearing and received testimony and evidence for and against the proposed Planned Unit Development; and

WHEREAS, on the basis of the facts and evidence provided in the staff report and the written and oral evidence presented at the public hearing, the City Council hereby makes the following findings pursuant to Section 17.62.070(J) of the Zoning Ordinance:

- (a) That the proposed location of the PUD is in accordance with the objectives of the City's Zoning Ordinance;
- (b) That the proposed location of the PUD and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, and welfare or materially injurious to properties or improvements in the vicinity and will not generate

more traffic than the streets in the vicinity can carry without congestion and will not overload utilities;

- (c) That the proposed PUD complies with the provisions of Chapter 17.62.010 and the other applicable provisions of the City's Zoning Ordinance;
- (d) That the requirements and standards of the City's Zoning Ordinance, including, but not limited to site area, dimension, site coverage, height of structures, distance between structures, off-street parking, off-street loading facilities, landscaped area, and street design will produce an environment of suitable and desirable character consistent with the objectives of the City's Zoning Ordinance.
- (e) That the combination of different structure types or varieties of land use within the project will complement each other and harmonize with the existing and proposed land use within the vicinity; and
- (f) That an Environmental Impact Report ("EIR") was prepared for this project that identifies several significant impacts that can be mitigated to a less-than-significant level and also identifies unavoidable significant adverse impacts that cannot be mitigated, and a statement of overriding considerations must also be made in accordance with CEQA.

THEREFORE, BE IT RESOLVED, that based on the above and incorporated findings, the City Council does hereby certify the Final Environmental Impact Report ("FEIR") with a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Plan ("MMRP") for Planned Unit Development No. 2005-04 was (i) completed in compliance with CEQA; (ii) presented to the Hanford City Council, as representing the Lead Agency, and the Hanford City Council reviewed and considered the information contained in the Final Environmental Impact Report prior to making any determinations on Planned Unit Development No. 2005-04; and (iii) the Final Environmental Impact Report reflects the Hanford City Council's independent judgment and analysis.

THEREFORE, BE IT FURTHER RESOLVED that the City Council hereby approves Planned Unit Development No. 2005-04 subject to the following conditions:

ADMINISTRATION DEPARTMENT

Contact the Planning Department: (559) 585-2580

Concerning questions that you may have on the conditions listed below:

Defense and Indemnification Provisions:

1. That the applicant shall defend, indemnify, and hold harmless the City of Hanford ("City"), its officials, officers, employees, representatives, agents and attorneys, from and against all claims, damages, losses, judgments, liabilities, expenses and other costs, including litigation costs and attorney's fees, arising out of, resulting from, or in connection with, the City's act or acts leading up to and including approval of any environmental document and/or granting of any approvals relating to the Project. Applicant's obligation to defend, indemnify and hold the City harmless specifically includes, but is not limited to, any suit or challenge by any third party against the City which challenges or seeks to set aside, void or annul the legality or adequacy of any environmental document approved by the City or any approval related to the Project.
2. That the applicant's obligations to defend, indemnify and hold the City, its officials, officers and employees, representatives, agents and attorneys harmless under the provisions of this paragraph shall include, but not be limited to, the cost of preparation of any administrative record by City, staff time, copying costs, court costs, the costs of any judgments or awards against the City for damages, losses, litigation costs, or attorney's fees arising out of a suit or challenge contesting the adequacy of any approval of the environmental document, or any approval related to the Project, and the costs of any settlement representing damages, litigation costs and attorney's fees to be paid to other parties arising out of a suit or challenge contesting the adequacy of the approval of the environmental document or any other approval related to the Project, if the settlement so provides.
3. That the City may, at any time, require the applicant to reimburse City for costs that have been, or which the City reasonably anticipates will be, incurred by the City during the course of any action. Applicant shall reimburse City within thirty (30) days of receipt of an itemized written invoice from City. Failure of the Applicant to timely reimburse the City shall be considered a material violation of the conditions of approval of the Project.
4. That the applicant shall defend, indemnify, and hold harmless the City of Hanford, its officials, officers, employees, representatives, agents and attorneys, from and against any and all claims, damages, losses, judgments, liabilities, expenses and other costs, including, without limitation, litigation costs and attorney's fees, arising out of, resulting from, or in any way in connection with any violation or claim of violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the Project. Applicant's obligation to defend, indemnify and hold the City of Hanford harmless specifically includes, but is not limited to, any suit or administrative action against the City of Hanford which claims a violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the Project.
5. That the applicant obligations to defend, indemnify and hold the City of Hanford, its officials, officers, employees, representatives, agents and attorneys harmless as set forth herein, shall include, but shall not be limited to, staff time, copying costs, court costs, the costs of any judgments or awards against the City of Hanford for damages, losses, litigation costs, or attorney fees arising out of any violation or claim of violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the Project and costs of any settlement representing damages, litigation costs and attorney's fees to be paid to other parties arising out of any such proceeding or suit.

6. That the City of Hanford may, at any time, require the Applicant to reimburse the City of Hanford for costs that have been, or which the City of Hanford reasonably anticipates will be, incurred by the City of Hanford during the course of any action. Applicant shall reimburse the City of Hanford within thirty (30) days of receipt of an itemized written invoice from the City of Hanford. Failure of the Applicant to timely reimburse the City of Hanford shall be considered a material violation of the conditions of approval of the Project.

PLANNING DEPARTMENT

Contact Interim Planning Manager Cathy Cain (559) 585-2578

Concerning questions that you may have on the conditions listed below:

General:

1. That the applicant hereby agrees to hold the City of Hanford and all of its departments, officers, agents, and employees free and harmless of and from all claims of any kind or nature arising out of or by reason of the approval of this project.
2. That approval of this project does not exempt the project from compliance with all applicable sections of the Zoning Ordinance, Public Works Improvement Standards, other City Ordinances or the payment of any applicable fees.
3. That all approved proposals of the application be conditions of development if not mentioned herein.
4. That the site be developed according to the approved master plan with minor modifications to be approved by the Community Development Department.
5. That all conditions of approval listed in this resolution by the City of Hanford be contained in the line drawing submitted for building permits.
6. That 10% of all units will be made affordable to persons of moderate income. Lots are to be distributed throughout the subdivision.
7. That no occupancy of any building and/or structure shall be permitted which is not in substantial compliance with approved plans except upon specific review and approval of any "as built" modifications by the authorizing City body (City Council, Planning Commission, Community Development Department, or other appropriate city departments).
8. That no expansion of use beyond the scope and nature described in this PUD, which would tend to increase the projected scale of operations, shall be permitted except upon application for, and approval of, modification of this Planned Unit Development permit in compliance with all procedures and requirements therefore.
9. That the developer shall designate, in writing before starting work, an authorized representative who shall have complete authority to represent and to act for the developer. Said authorized representative or designee shall be present at the site of the work at all times while work is actually in progress on the development. During periods when work is suspended, arrangements acceptable to the City Building Official shall be made for any emergency work, which may be required.
10. That the developer shall be responsible for all actions of the contractors and subcontractors during the course of any work occurring on the site.

11. That all applicable conditions of approval for Vesting Tentative Tract Map 865 and Vesting Tentative Tract Map 881 will apply.

Zoning:

1. That the proposed development is subject to the zone district standards, as modified by Planned Unit Development No. 2005-04. Setbacks, lot coverage, street frontages, parking, etc. will conform to the guidelines in the master plan.
2. That any changes to the proposed phasing be approved by the Community Development Department and Public Works Department.

Special Requirements:

1. That a right-to-farm provision be recorded with the recording of final subdivision map(s) to insure that future residents of the homes in the project are aware of the adjacent agricultural uses and their right to continue to operate.
2. That automatic garage door openers be installed on all garage doors to encourage the use of garages for the purpose of parking cars. The garages are to be used only for the parking of cars, boats or similar items for storage purposes. They are not to be converted for any items of living or recreational activities.
3. That recreational vehicle storage on individual lots shall be prohibited in the Small Lot Low Density and Medium Density Residential areas.
4. That drive strips are not allowed. All driveways are to have the full width paved.

Architectural Conditions:

1. That the structures in the PUD be developed in substantial compliance with the architectural renderings, colors, etc., as shown in the PUD Master Plan Exhibits.
2. That any future changes to the architectural design features must maintain the overall integrity of the surrounding neighborhood and not detract from the consistent look and appearance of the planned unit development.
3. That all pipes, gutters, and chases attached to the building wall shall be painted a similar or complementary color to the existing wall to which the item is attached.
4. That no surface shall be mirrored so as to cause glare and annoyance to other adjacent properties.
5. That all mechanical equipment, including electrical and gas meters are to be screened from view, and that all new electrical transformers are either installed underground or screened.
6. That all exterior architectural elements not detailed on the plans be finished in a style and in materials in harmony with the exterior of the building

Environmental Requirements:

1. That the developer complies with all mitigation measures in the Mitigation Monitoring and Reporting Program (MMRP) as certified with the Final Environmental Impact Report
2. That if cultural resources are discovered during construction or related activities, all work shall be halted and a qualified archeologist and the City of Hanford shall be notified. The find shall be properly investigated and appropriate measures are to be taken before construction may continue.
3. That the developer shall abandon all existing water wells on the site, if any, according to California Department of Health requirements.
4. That all common areas be kept free of rubbish, debris and other unsightly and/or unsanitary materials.
5. That options offered as part of the Live Oak Master Plan, such as solar panels, be shown on the master building plans so as to be available to all buyers of qualified lots.
6. That the project is subject to the San Joaquin Valley Unified Air Pollution Control District's Indirect Source Review Rule 9510. **An application must be filed with the District immediately upon approval of project.** For more information and instruction, contact the District's ISR staff by telephone at (559) 230-5800 or by email at ISR@valleyair.org.
7. That if fireplaces are proposed in the residential units, natural gas fireplaces or EPA certified wood-burning fireplaces/stoves are to be installed in every unit that has a fireplace. Conventional open-hearth fireplaces are not allowed.
8. That natural gas lines and electrical outlets be installed in backyards or patios to encourage use of gas and/or electric barbecues.
9. That electrical outlets be installed around the exterior of the residential units to encourage use of electric lawn mowers, edgers, etc.

Noise:

1. That construction equipment be muffled and construction activities be limited to the hours between 7:00 a.m. to 7:00 p.m., Monday thru Friday, unless the construction is within the enclosed structure or approved by the Community Development Department.
2. That noise from fixed mechanical equipment when measured at the property line meets the standard of the Hanford Noise Element.

Lighting:

1. That all exterior lighting shall be focused downward to avoid point sources of light interfering with the vision of motorists. Lighting elements shall be recessed into their fixtures to prevent glare. Exterior lighting shall be installed so as not to illuminate adjacent properties.

Screening:

1. That all backflow device and electrical transformers be screened with landscaping.

2. That all backflow devices be painted hunter green.

Fencing/Walls:

1. That all proposed fencing on the site be maintained in good repair with any graffiti at the site removed within 72 hours of occurrence.

Landscaping:

1. That all open and unlandscaped portions of the site be maintained in good condition, free from weeds, dust, trash and debris.
2. That the Developer shall enter into an agreement for a tax assessment district for the maintenance of neighborhood park landscaping, open space slough area, subdivision street lighting, decorative fencing, and landscaping located along the property frontages of Houston Avenue, S. Alpine Avenue, Butterfield Lane, Hume Avenue, 12th Avenue (including Sanchez “not-a-part” area), and Countryside Drive (Hume Avenue to Amber Harvest Drive). The creation of the District will be required prior to the recording of the first subdivision map.

Signage:

1. That all signs proposed for this development be designed and approved in conformance with the City's Sign Ordinance and/or as outlined in the PUD Master Plan. A separate application is required for review and administrative approval.

PRIVATE UTILITY COMPANIES

Contact the following persons concerning questions that you may have on the conditions listed below:

Southern California Edison Co., Jon Bimat: (559) 685-3202 or jon.bimat@sce.com

Or Southern California Edison Co., Eric Thomas: eric.thomas@sce.com

SBC/AT&T, Cindy Lee: (559) 228-7006: cindy.1.lee@att.com

Or SBC/AT&T, Lon Downer: (559) 228-7017 or ld2693@att.com

Southern California Gas Co., Jerry Alvarez: (559) 739-6455 or ajalvarez@semprautilities.com

Or Southern California Gas Co., Louise Lankford llankford@semprautilities.com

Comcast, Brian Copeland: (559) 455-4580 or brian_copeland@comcast.com

USA: 1 (800) 642-2444

Public Utilities:

1. That all utilities including cable TV be installed underground within the subdivision. The developer shall be required to notify the utility companies in writing of this requirement.
2. That all utility transformers within the development are recommended to be subsurface type installations. The developer has the option of placing the transformers above or below ground. If above ground transformers are to be installed, the developer is to meet with City Engineering and Edison Company to determine an appropriate location of the transformer away from street view. The developer is responsible for notifying Southern California Edison Company in writing of the type of installation.

3. That existing utility poles and appurtenances along the property frontage of 12th Avenue, Hume Avenue, and Houston Avenue are to be installed underground, at developer's expense, to facilitate widening of streets.

PUBLIC WORKS DEPARTMENT

Contact Senior Engineer: Eric Froberg (559) 585-2556

Concerning questions that you may have on the conditions listed below:

General Requirements:

1. That the developer complies with the City of Hanford Public Works Construction Standards and Specification requirements. Any deviation from said standards and specifications must be approved by the City Engineer prior to construction.
2. That the developer is required to contact the City of Hanford Public Works department to discuss proposed off-site street improvements, right-of-way dedications and site drainage requirements prior to submittal of project master plans. Project master plans will be required with the first subdivision of the proposed project.
3. That the development is subject to an engineering review/construction inspection fee in accordance with City Resolution No. 92-58-R, or any revisions thereof. Subject fee shall be payable prior to approval of improvement plans.

Drainage Requirements:

1. That all drainage from the proposed development shall be directed to the Sand Slough and Lone Oak drainage basins located as shown in the Live Oak Master Plan.
2. That applicant is required to comply with State of California Water Resource Control Board requirements specifically related to the National Pollution Elimination System permit process.
3. That applicant is required to comply with the approved layouts for the storm drainage basin size and location and the Live Oak Master Plan for all issues relating to drainage.
4. That developer's engineer provides a storm water system master plan for the project site for city public works department review and approval prior to the approval of the first subdivision on the project site.
5. That People's Ditch shall be relocated and installed underground in a pipeline in accordance with the requirements of both the City of Hanford Public Works Department and the People's Ditch Company. All costs to relocate and to underground People's Ditch with a pipeline and to backfill the abandoned open channel ditch as shown on the tentative subdivision map will be at developer's expense.
6. That all applicable conditions of approval of VTT 865 and VTT 881 relating to drainage requirements shall apply.

Street Right-of-Way Dedication & Easement Requirements:

1. That the developer shall dedicate to the City of Hanford all streets to the widths and locations as shown on the approved master plan and the tentative maps.

2. That all applicable conditions of approval of VTT 865 and VTT 881 relating to street right-of-way dedications and easement requirements shall apply.

Street Requirements:

1. That all improvements consisting of sanitary sewers, storm sewers, water mains, concrete curbs, gutters, sidewalks, street lights, traffic signal modifications, landscaping, site grading and pavement surfacing and all other improvements be installed in accordance with City of Hanford Public Works construction standards and specifications currently in effect.
2. That streetlights be installed along all public streets in conformance with City Standard GE-56 and PUD master plan guidelines. Street lights shall be located as designated by the city engineer.
3. That all applicable conditions of approval of VTT 865 and VTT 881 relating to street requirements shall apply.

Sanitary Sewer Requirements:

1. That developer's engineer provides a sanitary sewer master plan for the project site for city public works department review and approval prior to the approval of the first subdivision on the project site.
2. That all applicable conditions of approval of VTT 865 and VTT 881 relating to sanitary sewer requirements shall apply.

Water System Requirements:

1. That developer's engineer provides a water system master plan for the project site for city public works department review and approval prior to the approval of the first subdivision on the project site.
2. That all applicable conditions of approval of VTT 865 and VTT 881 relating to water system requirements shall apply.

Refuse Requirements:

1. That refuse facilities be installed as outlined in the PUD master plan.

Soil Requirements:

1. That a Preliminary Soils Report, prepared by a qualified Soils Engineer, be provided to the Engineering and Building Departments prior to approval of development improvement plans.
2. That a final soils report, prepared by a qualified Soils Engineer, be provided to the Engineering and Building Departments prior to acceptance of development improvements by the City.
3. That Developer retains the Design Engineer to inspect and verify that all grading within the development is completed in conformance with approved plans. Design Engineer shall be required to provide a certification letter to the Building Department prior to issuance of any building permits.

Landscape Assessment District:

1. That the developer shall enter into an agreement with the City for the formation of a tax assessment district for the maintenance of neighborhood park landscaping (Lots "D & E"), open space slough area (Lot "A"), subdivision street lighting, decorative fencing, and landscaping located along the property frontages of Houston Avenue, S. Alpine Avenue and Butterfield Lane (Lots "B, C, F, G & H") located as shown on Tentative Subdivision Map 865.
2. That the developer shall enter into an agreement with the City for the formation of a tax assessment district for the maintenance of linear park landscaping (Lots "A, D, E, F, & G"), subdivision street lighting, decorative fencing and landscaping located along the property frontages of Hume Avenue, S. Alpine Avenue, 12th Avenue (Including Sanchez "not-a-part" area), Countryside Drive (Hume Avenue to Amber Harvest Drive) and Butterfield Lane (Lots "B, C, H, I, J, K, L & M") located as shown on Tentative Subdivision Map 881.
3. That prior to funds from the tax assessment district being obtained, the developer shall be responsible for the maintenance of all landscaping, subdivision street lighting and decorative fencing.

Development Impact Fees:

1. That development is subject to impact fees as outlined in the recorded development agreement for the Live Oak project.
2. All other transportation related fees as identified in the Final Environmental Impact Report approved with this project are required as outlined in the resolutions of approval and the development agreement. This includes mitigation fees related to the SR198/12th Avenue interim improvements and the SR198/13th Avenue interim improvements.

FIRE DEPARTMENT

Contact Fire Marshall David Sumaya (559) 585-2545

Concerning questions that you may have on the conditions listed below:

General:

1. Approval of this project does not exempt compliance with all applicable sections of the City adopted fire codes and local fire ordinances.

Emergency Access:

1. A city standard all weather fire lane 20 feet in width and an unobstructed vertical clearance of not less than 13 feet six inches be provided around the buildings as required by Article 9 of the 1998 California Fire Code. Access shall be in place prior to above ground construction beginning.
2. Gate widths shall be a minimum of 20 feet unobstructed and if locked a Knox lock will be required.

Special Requirements:

1. Site address shall be posted in an illuminated area, with 6" minimum letters on contrasting background.
2. Smoke detectors required in all units.

BUILDING DIVISION

Contact Building Official: Jim Kochar (559) 585-2584

Concerning questions that you may have on the conditions listed below:

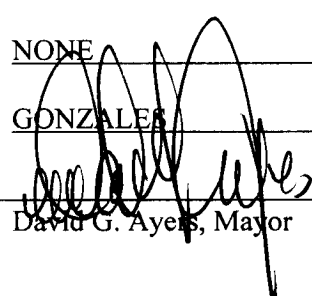
1. That building permits must be obtained from the City Building Division for any structural, plumbing, electrical or mechanical work being done.
2. That the site, as well as the building, be made accessible and usable by the handicapped according to California Building Code Chapter 11A.
3. That no building or structure shall be used or occupied, and no change in the existing occupancy classification of building or structure or portion thereof shall be made until the building official has issued a Certificate of Occupancy.
4. That detailed dimensioned plans be provided to the Building Division prior to obtaining construction permits.
5. That single family dwellings will require plans and calculations signed by the designer. Submittal shall consist of:
 - 5.1 1 copy of the City of Hanford Permit Application form
 - 5.2 1 copy of the building floor plan for the assessor
 - 5.3 2 complete sets of drawings and documentation including:
 - 5.3.1 Site Plan including landscaping
 - 5.3.2 Architectural Drawings
 - 5.3.3 Structural Drawings and Calculations as required, and truss calculations
 - 5.3.4 Electrical Drawings and Calculations as required
 - 5.3.5 Mechanical Drawings and duct sizing calculations
 - 5.3.6 Plumbing Drawings and Calculations for dwellings greater than 3,000 SF
 - 5.3.7 Energy Calculations
6. Master plans shall follow the submittal requirements, as per item #5 above, for the original plan submittal. All subsequent submittals shall require two copies of a site plan describing the plan to be used and any options which might be included.
7. That separate sewer lateral and water services be provided to each building.
8. That separate gas and electric services be provided to each building.
9. That a school impact fee of \$2.97 (or revision thereof) for each square foot of new residential building area be paid when building permits are issued.
10. That all special inspection reports be submitted to the Building Division prior to final inspection.
11. Addresses shall be assigned by the building division.
12. That a preliminary soils report, prepared by a qualified soils engineer, be provided to the Engineering and Building Divisions prior to approval of site improvement plans.
13. That a final soils report, prepared by a qualified soils engineer, be provided to the Engineering and Building Divisions before issuance of building permits.

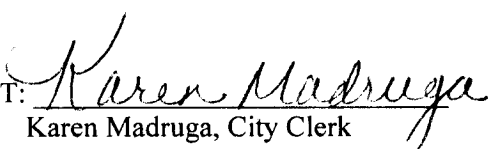
14. All construction shall conform to the 2007 California Building Code, California Mechanical Code, California Plumbing Code, California Fire Code; California Electrical Code, and California Energy Code or currently adopted code at time of construction.
15. That Kings County Impact fees shall be assessed as applicable.

EXPIRATION

That the Planned Unit Development shall become null and void two (2) years following the date on which approval by the City Council became effective unless, prior to the expiration of two (2) years, a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion of the structures. The time-frame of the Planned Unit Development will run with the subdivision map approval. A time extension may be granted by the Planning Commission if a written request and fee is received from the applicant prior to the expiration date. If an extension is approved, the project shall be subject to all improvement standards and fees according to the development agreement.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Hanford held on the 15th day of September, 2009, by the following vote:

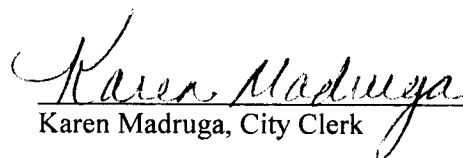
AYES:	Council Member	<u>CHIN</u>
		<u>SORENSEN</u>
		<u>THOMAS</u>
		<u>AYERS</u>
NOES:	Council Member	<u>NONE</u>
ABSTAIN:	Council Member	<u>NONE</u>
ABSENT:	Council Member	<u>GONZALES</u>
	APPROVED:	 David G. Ayers, Mayor

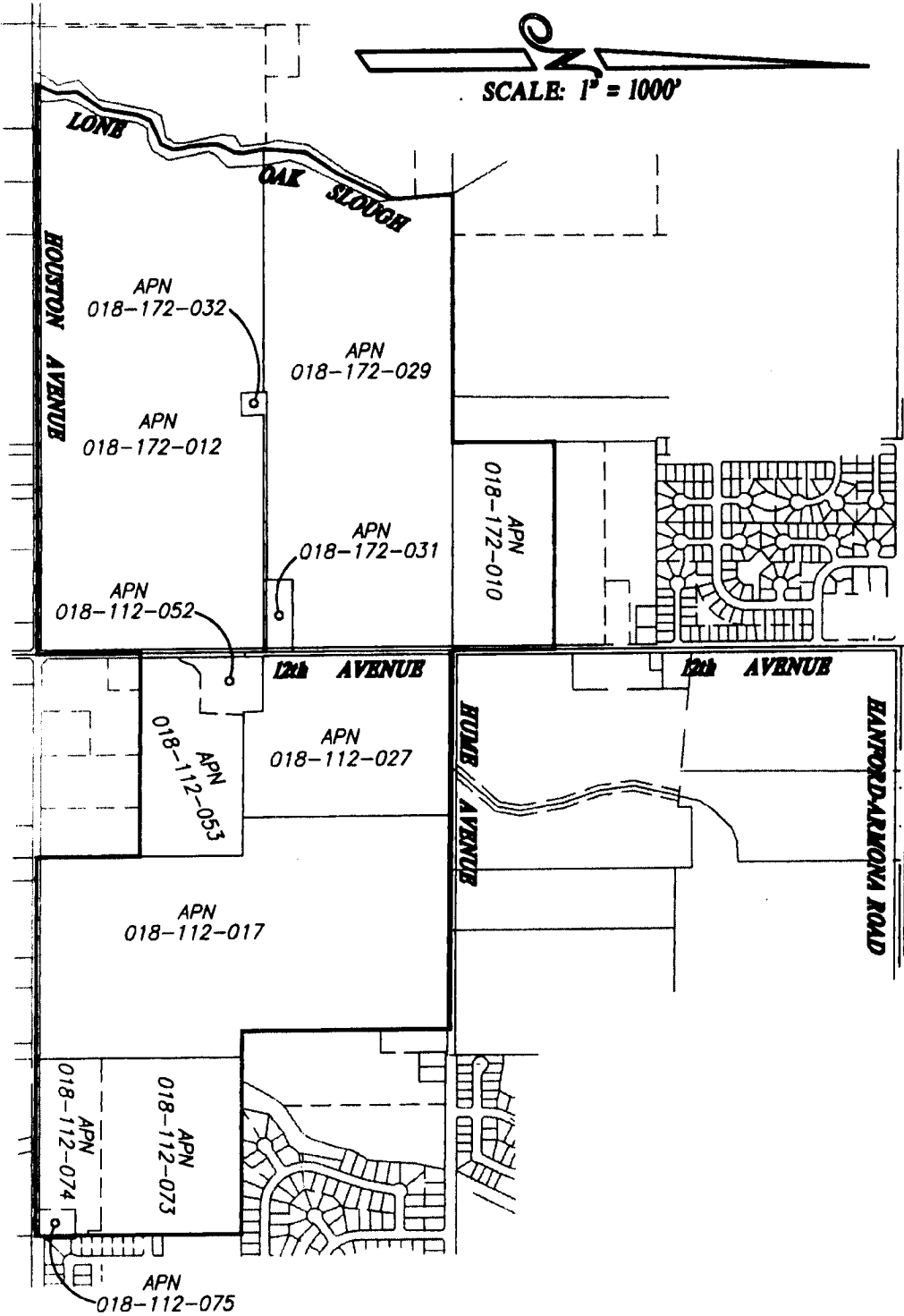
ATTEST: 
Karen Madrugá, City Clerk

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss
CITY OF HANFORD)

I, **KAREN MADRUGA**, City Clerk of the City Council of the City of Hanford, do hereby certify the foregoing Resolution was duly passed and adopted by the City Council of the City of Hanford at a regular meeting thereof held on the 15th day of September, 2009.

Dated: September 17, 2009


Karen Madruga, City Clerk


**INDEX OF ASSESSORS
PARCEL NUMBERS**

APN 018-172-010

APN 018-172-012

APN 018-172-029

APN 018-172-031

APN 018-172-032

APN 018-112-052

APN 018-112-027

APN 018-112-017

APN 018-112-053

APN 018-112-073

APN 018-112-074

APN 018-112-075

Attachment: Exhibit D: Planned Unit Development 2005-04 Conditions (1066 : Tentative Tract 912 (Live Oak East))


North Star
Engineering Group, Inc.

• CIVIL ENGINEERING • SURVEYING • PLANNING •

 909 14th Street, Modesto, CA 95354
 (209) 524-3525 Phone (209) 524-3526 Fax

JOB NO. 04-205

DATE 7/31/2007

SCALE 1" = 1000'

DR. BY C. JOHNSON

FILE: DEVEL AGREEMENT

EXHIBIT 'A'

SHEET 1 OF 1 SHEETS



AGENDA STAFF REPORT

MEETING DATE: 9/8/2015	AGENDA SECTION: 3
-------------------------------	--------------------------

SUBJECT:

Finding of General Plan Consistency for the Sale of City Real Property located at the southwest corner of West Cortner Street and N. 11th Avenue, the westerly 18.1 acres of APN 008-360-006.

RECOMMENDATION:

That the Planning Commission find that the sale of the westerly 18.1 +/- acre portion of the 38.48 acre City owned real property located at the southwest corner of W. Cortner St. and N. 11th Avenue is consistent with the General Plan adopted June 18, 2002 in accordance with Government Code Section 65402.

Motion:

I move to approve a finding that the sale of the westerly 18.1+/- acres of the 38.48 acre City owned property located at the southwest corner of W. Cortner St. and N. 11th Avenue is consistent with the Hanford General Plan. The finding is based on the current total of 153.79 acres of community parks resulting in a ratio of 2.76 acres per 1,000, well over the minimum goal of 2 acres per 1,000 established in the 2002 General Plan.

BACKGROUND:

The subject site is the westerly 18.1+/- acres of an approximately 38.48 acre parcel located along the south side of W. Cortner between N. 11th Avenue and the BNSF Railroad mainline, Exhibit A. The subject site was purchased by the City in October 1967 for development of a storm basin and Hidden Valley Park. The 20 acre park was completed and opened to the public in the 1970's.

California Government Code Section 65402 requires that the disposition of real property that was originally acquired by the City for a public purpose be reviewed by the Planning Commission for determination as to whether the sale conforms to the City's adopted General Plan.

In 2013, the Planning Commission approved a Finding of Consistency for the sale of the site. Since the sale did not take place at the time, it was determined that the current Planning Commission was required to confirm the previous finding.

The Planning Commission reviewed the item at the August 11, 2015 meeting, staff presented the Commission with a staff report detailing the acreage totals for community parks, which was determined to be 126.5 acres or 2.28 acres per 1,000. The required ratio for community level parks in the General Plan is two acres per thousand as stated in Policy OCR 14.2. During the discussion, a member of the public distributed to the Commission multiple documents and declared that the acreage calculations were inaccurate. The documents included a letter from an attorney, which was not provided to staff. Based on the information and the subsequent questions, the Commission deliberated and a motion to find that the sale was inconsistent with the General Plan was approved.

As part of the General Plan Update process, staff has been working with the consultant on the Open Space, Recreation and Parks Element and a calculation of current and future parks acreage. Based on more accurate information based on a Geographical Information System (GIS), a new total acreage has been developed. The new totals differ from previous numbers in that they are based on the more accurate information. In addition, acreages that had not previously been included have been counted and acreage that should not have been included has been deleted. For example, previous totals for the Civic and Courthouse Park were 6.1 acres, which included the Bastille and Courthouse areas. The new total of 4.79 reflects the removal of the areas that contain the Courthouse and Bastille. Staff presented the City Council with new totals and gave them the results of the Planning Commission deliberation on August 11, 2015. Based on the new information, the City Council directed staff to bring back the item to the Commission for their consideration again. The figures below represent the most recent acreages for Community Parks:

Community Parks

Bob Hill Youth Athletic Complex	27.42
Centennial Park	14.11
Freedom Park	16.66
Civic and Courthouse	4.79
Hidden Valley	17.96
Soc Com Park	40.50
Hanford Joint Use Softball Complex	21.18
TOTAL	142.62

Community Level Specialty Parks

BMX	4.59
-----	------

Harris Street Ball Park	4.56
Plunge/Skate Park	2.02
TOTAL	11.17

TOTAL COMMUNITY PARKS 153.79 acres

Based on a current population of 55,804, the current community park ratio is 2.76 acres per 1,000, well over the minimum goal of 2 acres per 1,000 established in the 2002 General Plan. At a ratio of two acres per 1,000, 153.79 acres would accommodate a population of 76,895. Based on a growth rate of 2.1%, which is being used for General Plan Update planning purposes, the City would not need additional community level park facilities until the year 2032.

Community Parks are described in the Open Space, Conservation and Recreation Element (OCR) as parks that serve a group of neighborhoods accessible from collector or arterial streets that provide amenities that are oriented to adults and children and often include specialized facilities such as tennis courts, community centers, swimming pools and sports fields. All of the parks listed above, including the Soc Com Complex, were listed in the OCR Element of the 2002 General Plan. Although some of the parks are not open to the public 24 hours a day, seven days a week, thousands of citizens use the parks every year. They are considered community parks and it is appropriate that the acreage be used to calculate the ratio of park acreage to population. The General Plan Guidelines published by the Office of Planning and Research (OPR), states that parks and recreation elements may identify public and private recreation areas as recreation facilities.

In addition to the acreages listed above, the City also has three joint use agreements to use a portion of the fields at Hanford West, JFK School and Hanford East totaling 26.26 acres. The OPR Guidelines also state that school facilities available for joint use are appropriate to be included in parks and recreation elements. It is anticipated that as more joint use facilities are developed, they will also be included in recreation totals.

FISCAL IMPACT:

ATTACHMENTS:

Cortner Vacant Land Exhibit

EXHIBIT A

18.1 acres

APN 008-360-006.



Attachment: Cortner Vacant Land Exhibit (1064 : Finding of Conformity)