



AGENDA
PLANNING COMMISSION
of the
CITY OF HANFORD

COUNCIL CHAMBERS
400 N. Douty St.
7:00 PM, Tuesday, August 23, 2016

CALL TO ORDER

ROLL CALL

INVOCATION

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.

- 1. Approval of the Minutes of the July 12, 2016 Meeting**
- 2. Approval of the Minutes of the July 20, 2016 City Council and Planning Commission Joint Meeting**

PUBLIC HEARING

VARIANCE NO. 2016-02, a request to deviate from the standards of the Hanford Municipal Code Section 17.18.100 to allow a reduction in the front-yard setback from 20 ft. to 18 ft. and a reduction in the rear-yard setback from 25 ft. to 20 ft. 7 in. for a two-story home on an irregular lot. The project is located at 1199 N. Carroll Court (APN 009-390-051).

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: 8/23/2016	AGENDA SECTION: 1
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SUBJECT:

Approval of the Minutes of the July 12, 2016 Meeting

RECOMMENDATION:

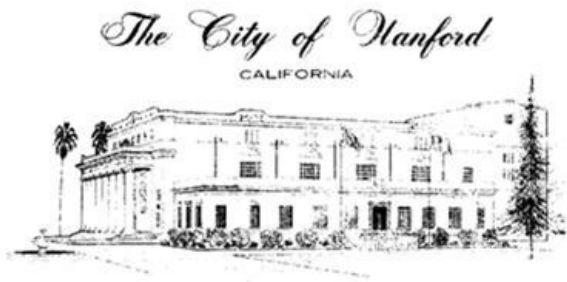
Approve the Minutes of the July 12, 2016 Meeting

BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

07-12-2016 PC Minutes



MINUTES
PLANNING COMMISSION
of the
CITY OF HANFORD

COUNCIL CHAMBERS
400 N. Douty St.
7:00 PM, Tuesday, July 12, 2016

CALL TO ORDER

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

ROLL CALL

Attendee Name	Title	Status	Arrived
Dennis Ham		Present	
Ajmer Nahal		Present	
Michael Johnston		Present	
Travis Paden		Absent	
John Draxler		Present	

INVOCATION

The invocation was provided by Chaplain Robert Needham of the Kings County Sheriff's Department.

FLAG SALUTE

Chairperson HAM led the flag salute.

PUBLIC COMMENT

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None.

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.

- 1. Approval of the Minutes of the June 14, 2016 Meeting**
- 2. Approval of the Minutes of the June 15, 2016 Joint Meeting of the Planning Commission and City Council**

Motion by Commissioner JOHNSTON, seconded by Commissioner DRAXLER, to approve the Consent Calendar. Motion carried by the following roll call vote:

AYES: Commissioners JOHNSTON, DRAXLER, NAHAL, HAM
 NOES: Commissioners NONE
 ABSTAIN: Commissioners NONE
 ABSENT: Commissioners PADEN

PUBLIC HEARING

Variance Application No. 2016-01, a request to deviate from the standards of the Municipal Code Section 17.44.050 I. to allow three freestanding area identification signs with signage to exceed the 350 sq. ft. maximum allowed in the “PC” Planned Commercial Zone District for the Hanford Mall. The project is located at the southeast corner of 12th Avenue and Lacey Boulevard, 1675 West Lacey Boulevard (APN 011-060-033 through 011-060-038 and 011-060-040 through 011-060-045).

Chairperson HAM opened the Public Hearing at 7:04 p.m. and called for the staff report. Assistant Planner de Silva presented the staff report and recommended approval of staff's recommendation, which was less signage than the applicant had proposed. She then invited questions of staff.

Following questions of staff, Chairperson HAM opened Public Comment.

FAVOR:

Applicant Joanne Doerter, General Manager of the Hanford Mall, stated that the mall is unique in that it faces three different streets, and there is currently no signage on Mall Drive. The change in the two existing pylons would allow signage for indoor tenants, as well. Tenant space on the pylon sign is a major leasing tool.

Sara, of Signworks, explained that her original calculations included the framing around the signs, which she recently learned should not have been included. Recalculations bring the requested amount of signage to less than 364 square feet per side, which is less than 14 square feet over staff's recommendation. The individual tenant space sections are a standard size.

OPPOSED:

None.

Chairperson HAM closed Public Comment and opened Commission Discussion.

Following Commission Discussion, Chairperson HAM closed the Public Hearing at 7:29 p.m. and called for a motion.

Motion by Commissioner DRAXLER, seconded by Commissioner NAHAL, to adopt Resolution No. 2016-15 approving Variance No. 2016-01, amending the size of the three pylon signs to 364 square feet per side. Motion carried by the following roll call vote:

AYES: Commissioners DRAXLER, NAHAL, JOHNSTON, HAM
 NOES: Commissioners NONE
 ABSTAIN: Commissioners NONE
 ABSENT: Commissioners PADEN

GENERAL BUSINESS

DIRECTOR'S COMMENTS

Community Development Director Mata reminded the commissioners of the next zoning ordinance joint meeting of the Planning Commission and City Council, Wednesday, July 20, 2016, 5:30 p.m., in the Training Room. A Town Hall meeting regarding the zoning ordinance update has been scheduled for Wednesday, July 27, 2016, 6:00 p.m.-8:00 p.m., in the Civic Auditorium. Director Mata also mentioned that the sign ordinance update will be presented at an upcoming joint meeting of the Planning Commission and City Council.

COMMISSIONERS' ITEMS OF INTEREST

Commissioner DRAXLER notified the Commission that he will be unable to attend the July 20 and July 27 meetings, due to physical therapy appointments in Sacramento.

ADJOURNMENT

Chairperson HAM adjourned the meeting at 7:34 p.m.

Respectfully submitted,

Diana Black
 Recording Secretary



**AGENDA
STAFF REPORT**

MEETING DATE: 8/23/2016	AGENDA SECTION: 2
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SUBJECT:

Approval of the Minutes of the July 20, 2016 City Council and Planning Commission Joint Meeting

RECOMMENDATION:

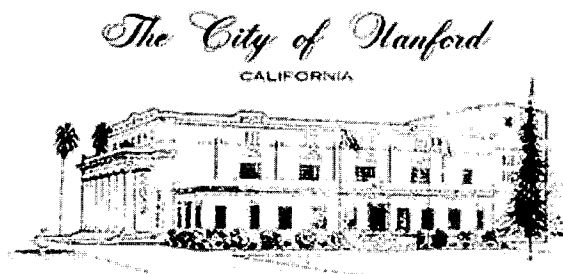
Approve the minutes of the July 20, 2016 City Council and Planning Commission Joint Meeting

BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

PC-CC 7-20-16 Minutes



CITY COUNCIL MEETING MINUTES

July 20, 2016 5:30 PM

Training Room

319 N. Douty

CALL TO ORDER JOINT MEETING:

Mayor Justin Mendes called the joint meeting to order at 5:32 p.m.

ROLL CALL:

Attendee Name	Title	Status
Russ Curry	Council Member	Present
David Ayers	Council Member	Present
Gary Pannett	Council Member	Present
Francisco Ramirez	Vice Mayor	Present
Justin Mendes	Mayor	Present
John Draxler	Planning Commissioner	Absent
Ajmer Nahal	Planning Commissioner	Absent
Travis Paden	Planning Commissioner	Present
Michael Johnston	Planning Commissioner	Present
Dennis Ham	Planning Commissioner	Present

FLAG SALUTE:

Mayor Mendes led the flag salute.

PUBLIC COMMENT - JOINT MEETING:

Comments from the public are limited to items on the agenda (GC54954.3a). A maximum of five minutes is allowed for each speaker.

Ron Allvin from the FAST Credit Union Board of Directors commented on their history with locating downtown and the investment they have made. They are concerned about changing the zoning and the impact it will have on them and downtown.

Jerry Irons seeked clarification about an area that wants to be annexed and how they will be zoned. Community Development Director Darlene Mata stated that she would meet with him.

Bob Ramos wanted the downtown zoning to remain the same.

Rob Bentley is concerned about zoning changes, especially to the land next to Hidden Valley Park. He wants the park to be expanded.

Chris Soares, a previous Parks & Recreation Commissioner, commented on the past discussions to expand Hidden Valley Park. In regards to downtown, she recommended that the City look at what has been done in Visalia and Clovis and follow their example to fill the vacancies.

Jeff Porterfield stated that there needs to be something downtown for kids.

Paula Lehn of FAST Credit Union appreciated the staff and Council members meeting with her. She would like some better information to be available to the public to compare current and proposed zoning uses.

GENERAL BUSINESS:

A. Zoning Ordinance Update

Community Development Director Darlene Mata provided background information on the process of updating the General Plan that has occurred over the last three years. She also discussed the next steps and timeline to adopt the General Plan and zoning changes.

Ms. Mata discussed the recommendations by the Downtown Revitalization Committee. Michael Johnston stated his personal opinion is that he does not believe zoning is the issue, but incentives would be the best method to making improvements to downtown.

Per the request of Council Members, Ms. Mata distributed to the City Council and Planning Commissioners an economic study from the HWY 43/198 EIR and also a sample of retail development sizes.

Steve Brandt of Quad Knopf briefly discussed the zoning map and types of planning permits. He presented a comparison of current and proposed land uses, specifically regarding banks, day cares, vending machines, accessory or ancillary uses, artisan foods, restaurants, convention or conference center, funeral homes, religious institutions, educational facilities, theaters, call centers, offices, wireless communication facilities, food produce stands, furniture stores, medical marijuana, optical retailers, tobacco or smoke shops, and tattooing or body art.

Staff responded to several questions and comments by the City Council, Planning Commission, and public pertaining to the land uses and zoning.

Staff was directed to have the Town Hall meeting scheduled for July 27th to begin with an open house from 6:00 p.m. to 6:30 p.m. to allow the public to meet with staff and the consultants to ask specific questions. Large maps will be placed around the room and all of the handouts that were referenced during this meeting will be made available at the Town Hall meeting too. The meeting will begin at 6:30 p.m. and will conclude at 9:00 p.m.

ADJOURNMENT:

Mayor Mendes adjourned the meeting at 8:23 p.m.

Respectfully submitted,

Jennifer Gomez
City Clerk



AGENDA STAFF REPORT

MEETING DATE: 8/23/2016	AGENDA SECTION:
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SUBJECT:

VARIANCE NO. 2016-02, a request to deviate from the standards of the Hanford Municipal Code Section 17.18.100 to allow a reduction in the front-yard setback from 20 ft. to 18 ft. and a reduction in the rear-yard setback from 25 ft. to 20 ft. 7 in. for a two-story home on an irregular lot. The project is located at 1199 N. Carroll Court (APN 009-390-051).

PROJECT PLANNER: Gabrielle de Silva, Associate Planner

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

1. Make the appropriate findings and adopt Resolution No. 2016-16 approving Variance No. 2016-02.

RECOMMENDED MOTION

1. I move to adopt Resolution No. 2016-16 approving Variance No. 2016-02.

PROJECT DESCRIPTION

The project is a request, by Lennar Homes of California, to construct a 2,880-sq. ft. two-story home on an irregular lot in the “R-1-6” zone district with deviations to the front- and rear-yard setbacks. Per the Hanford Municipal Code Section 17.18.100, setbacks for a two-story home in the “R-1-6” Low-Density Residential Zone District are as follows:

Front yard:	Twenty (20) feet from front property line
Rear yard:	Twenty-five (25) feet from rear property line

Side yard*: Five (5) feet from side property line (on either side)

**Note:* Under Planned Unit Development No. 2015-01, which applies to Phase Four of Tentative Tract Map 843, side-yard setbacks from the side property line are permitted to be reduced to five feet for all homes.

The applicant proposes a minimum 18-ft. front-yard setback and a minimum 20-ft.-7-in. rear-yard setback for the two-story home. The applicant provides adequate side-yard setbacks on either side.

The applicant requests the single-family home layout, as shown in attached **Exhibit A**.

BACKGROUND INFORMATION

The proposed project site is designated by the General Plan as Low-Density Residential and zoned “R-1-6” Low-Density Residential. The project site is subject to Planned Unit Development No. 2015-01, which is applicable to Phase Four of Tentative Tract Map 843. The project is located at 1199 N. Carroll Court (APN 009-390-051), Lot 244 of Tentative Tract 843.

Figure 1 – Land Use
Property Shown in Red

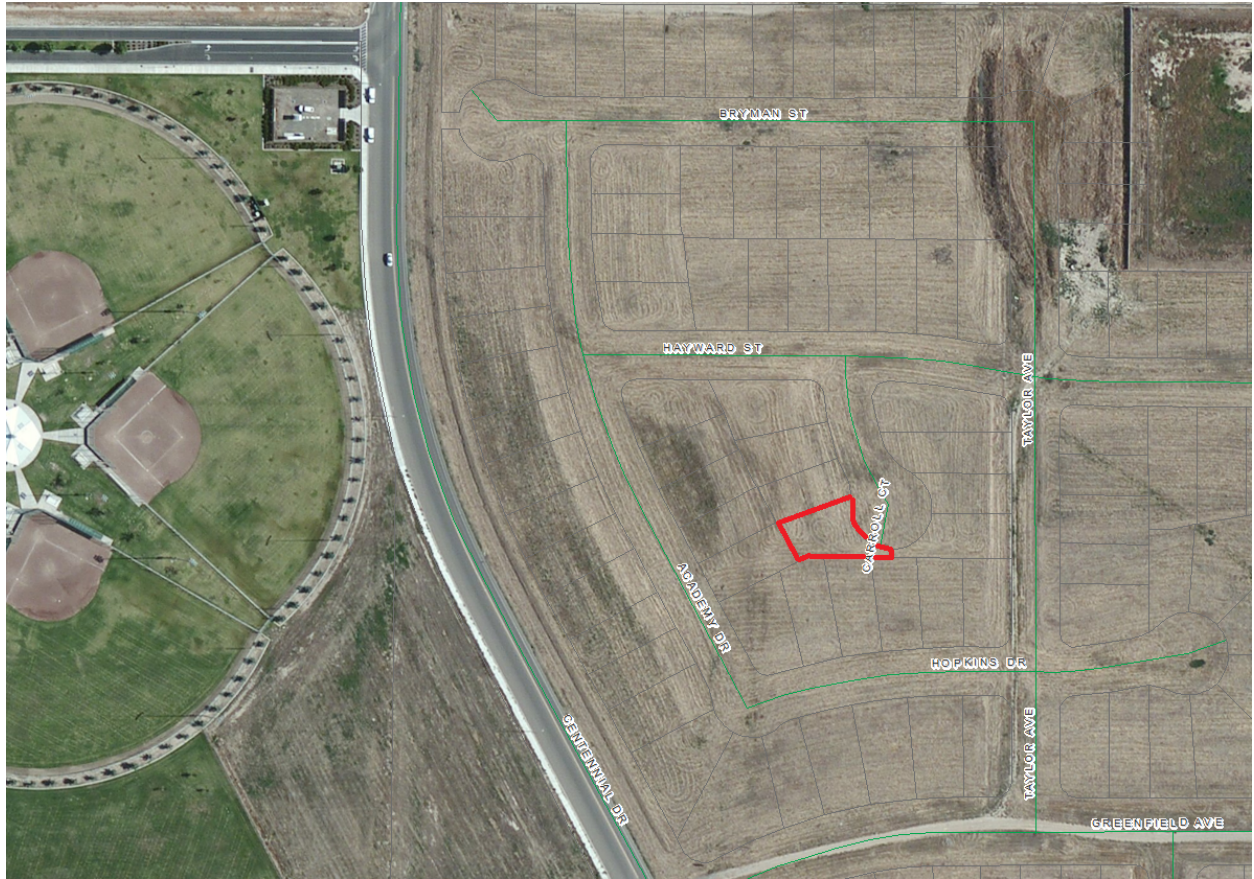
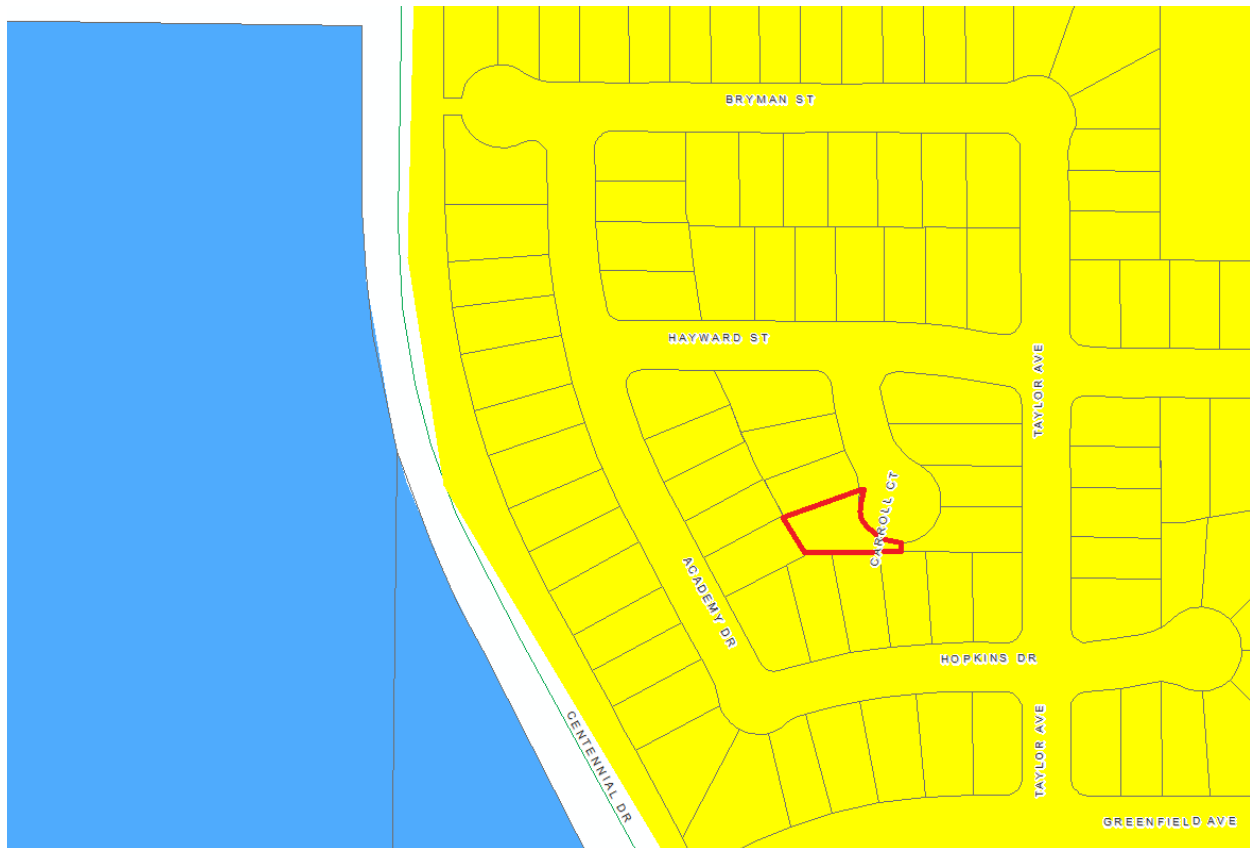


Figure 2 – Zoning “R-1-6”
Property Shown in Red



PROJECT EVALUATION

Tentative Tract Map 843 was approved by the Planning Commission in July of 2006. A Planned Unit Development for Phase Four of Tentative Tract 843 was approved in April of 2015. Planned Unit Development No. 2015-01 permitted a deviation from the minimum 6,000-square-foot lot size requirement, a reduced frontage requirement, and permitted reduced side-yard setbacks of five feet for all homes.

Since the applicant's request deviates more than can be administratively permitted with a ten percent variance, the applicant has submitted for a variance for approval by the Planning Commission in accordance with Section 17.64.020 D, which states, "When the deviation exceeds ten percent of the minimum regulation requirement, it shall be processed as a variance before the planning commission as set out in this chapter."

Project Design:

Lot Size	6,081 sq. ft.
Total Square Footage of Home	2,880 sq. ft.
Building Footprint	1,669 sq. ft.
Lot Coverage	27%
Front-yard Setback	18 ft.
Side-yard Setback(s)	5 ft. minimum
Rear-yard setback	20 ft. 7 in.

Setbacks:

The City requires setbacks between structures for several reasons:

Safety:

Maintaining setbacks between buildings is important for safety reasons. Having adequate setbacks between structures provides access for firefighters to reach fires in cases of emergency. The Fire Department has reviewed the application and determined that the setbacks provided by the applicant will not be detrimental to safety. (*Note: the single-family dwelling is required to have a fire sprinkler system*).

Building Code Requirements:

The Building Code requires differing setbacks from property lines and other structures, based on the type of construction. The Building Division has reviewed the application and determined that the setbacks provided by the applicant will not conflict with the requirements of the California Building Code.

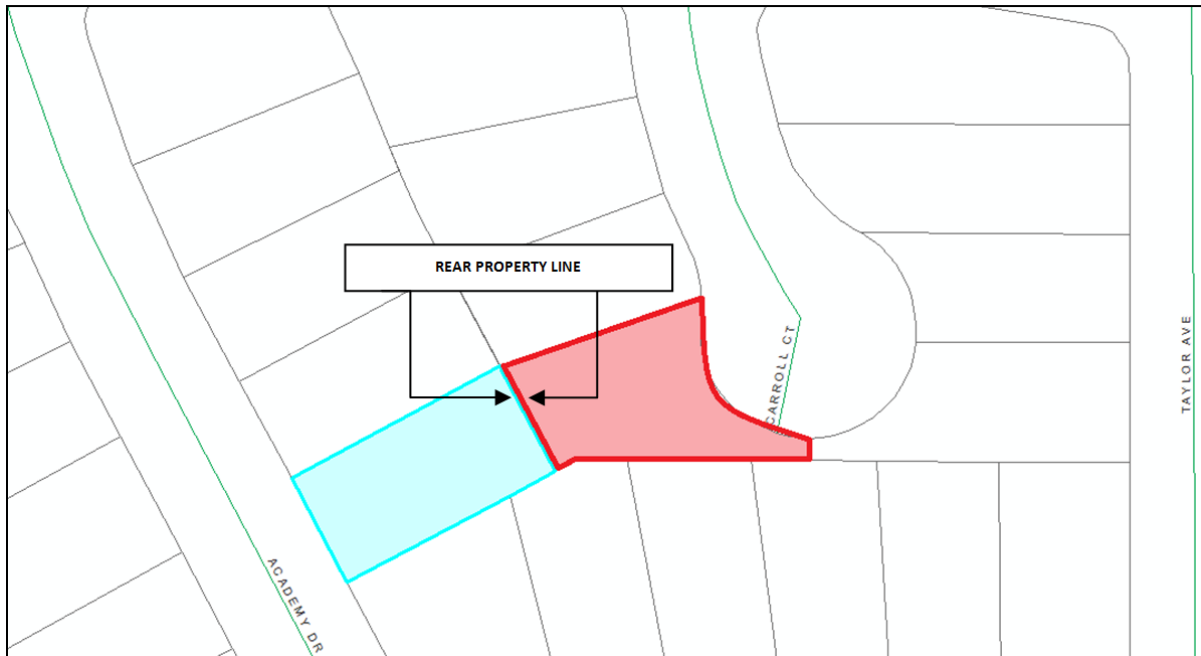
Noise:

Setbacks also are in place to reduce impacts from noise. The normal use of a residence does not generate excessive noise. All noise generated from the property would be required to meet the Noise Emission standards prescribed by the General Plan Hazards Element.

Preventing Crowding:

Another reason setbacks are required by the City is to reduce crowding and provide separation between neighbors. On this particular lot, the affected rear property abuts the neighbor's rear property. The two-story home would be 20 ft. 7 in. from the rear property line and an overall 35 ft. 7 in. from the nearest residential structure, minimum. (*Calculation: 20 ft. 7 in. + a minimum 15 ft. rear yard setback between this home and the nearest residence (see figure 3)*).

Figure 3
Neighboring Property
Subject property shown in red, neighboring property shown in blue



FINDINGS FOR APPROVAL

Pursuant to Section 17.64.060 of the Hanford Municipal Code, six findings must be made before approval of the variance application.

Section 17.64.060

Development Regulations. The Planning Commission may grant a variance to the development regulations identified in this chapter as proposed in the variance application or in modified form if, based upon the application and the evidence submitted at the public hearing, the Planning Commission makes all of the following findings:

1. That there are special circumstances applicable to the property, including size, shape, topography, location or that surroundings are such that the strict application deprives such property of privileges enjoyed by other property in the vicinity and under identical land use district classification;

That the special circumstance in this case is an irregular lot shape. The site is oddly shaped, thus creating challenge in configuring a home to appropriately fit on the lot. Many lots in the surrounding area do not have such a unique lot configuration and are able to meet the required setbacks. The applicant is able to provide the required side-yard setbacks for the zone district on either side.

2. That granting the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and land use district and denied to the property for which the variance is sought;

That surrounding lots do not share the unique configuration that this lot possesses. Since the property has an irregular shape, it is difficult to meet the setbacks of the site without diminishing the square footage of the proposed home. Granting the variance is necessary for the preservation of a similar square footage as the other homes in the subdivision possess.

3. That granting the variance will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in the vicinity and land use district in which the property is located;

That reducing the setback of the front yard by two feet to 18 feet and reducing the rear-yard setback to 20 ft. 7 in. will not create a safety hazard. The Fire Department has reviewed the application and determined that the setbacks provided by the applicant will not be detrimental to safety. (*Note: the single-family dwelling is required to have a fire sprinkler system*). Additionally, the Building Division has reviewed the application and determined that the setbacks provided by the applicant will not conflict with the requirements of the California Building Code.

4. That granting the variance does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and land use district in which such property is located;

That the other homes in the area have the ability to meet the required setbacks of the “R-1-6” Low-Density Residential Zone District (as modified by Planned Unit Development No. 2015-01), because the lots are not irregular. The granting of this variance does not constitute a special privilege, because this lot faces a limitation the others do not possess.

5. That granting the variance does not allow a use or activity which is prohibited in the land use district where the property is located; and

That a single-family home is a permitted use in the “R-1-6” Low-Density Residential Zone District.

6. That granting the variance will not be inconsistent with the General Plan.

That the General Plan has been reviewed and the granting of this variance would not be inconsistent with the goals, policies, and objectives of the General Plan.

ENVIRONMENTAL ASSESSMENT

Pursuant to Section 15303 (a), “New Construction or Conversion of Small Structures”, of the California Environmental Quality Act (CEQA) Guidelines, this project is categorically exempt from environmental review. A Notice of Exemption has been prepared for the project in accordance with CEQA. See attached **Exhibit B**.

PUBLIC COMMENTS

Noticing of the variance was published in the newspaper on August 12, 2016, and mailed to property owners within 500 ft. of the project site on August 11, 2016. The Community Development Department has not received comments on the project as of the preparation of this report.

CONDITIONS OF APPROVAL

Conditions of Approval have been addressed in Resolution No. 2016-16.

Property Owner

Patrick Ricchiuti Family Trust
2917 E. Shepherd Avenue
Clovis, CA 93619

Applicant

Lennar Homes of California
8080 N. Palm Avenue, Suite 110
Fresno, CA 93711

FISCAL IMPACT:

ATTACHMENTS:

Resolution No. 2016-16
Exhibit A: Site Layout
Exhibit B: Notice of Exemption
Application and Variance Justification
project location map

RESOLUTION NO. 2016-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HANFORD APPROVING VARIANCE NO. 2016-02 A REQUEST TO ALLOW A REDUCTION IN THE FRONT-YARD SETBACK FROM 20 FT. TO 18 FT. AND A REDUCTION IN THE REAR-YARD SETBACK FROM 25 FT. TO 20 FT. 7 IN. FOR A TWO-STORY HOME ON AN IRREGULAR LOT

At a regular meeting of the Planning Commission of the City of Hanford duly called and held on August 23, 2016, on motion of Commissioner _____, seconded by Commissioner _____, and duly carried, the following resolution was adopted:

WHEREAS, on August 23, 2016, the Planning Commission of the City of Hanford conducted a public hearing in accordance with Section 17.64.050 of the Hanford Municipal Code pertaining to Variance No. 2016-02, filed by **Lennar Homes of California**, a request to allow a reduction in the front-yard setback from 20 ft. to 18 ft. and a reduction in the rear-yard setback from 25 ft. to 20 ft. 7 in. for a two-story home on an irregular lot located at 1199 N. Carroll Court (APN 009-390-051); and

WHEREAS, the Planning Commission and staff have given careful consideration to this variance and have made recommendations thereon; and

WHEREAS, the Planning Commission has carefully considered recommendations and testimony presented at the public hearing of August 23, 2016; and,

WHEREAS, Section 15303(a), of the California Environmental Quality Act Guidelines categorically exempts "New Construction or Conversion of Small Structures", from further environmental review; 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 on August 23, 2016, the Planning Commission hereby is able to make the following findings as required by Section 17.64.060 of the Zoning Ordinance:

1. That there are special circumstances applicable to the property, including size, shape, topography, location or that surroundings are such that the strict application deprives such property of privileges enjoyed by other property in the vicinity and under identical land use district classification;

That the special circumstance in this case is an irregular lot shape. The site is oddly shaped, thus creating challenge in configuring a home to appropriately fit on the lot. Many lots in the surrounding area do not have such a unique lot

configuration and are able to meet the required setbacks. The applicant is able to provide the required side-yard setbacks for the zone district on either side.

2. That granting the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and land use district and denied to the property for which the variance is sought;

That surrounding lots do not share the unique configuration that this lot possesses. Since the property has an irregular shape, it is difficult to meet the setbacks of the site without diminishing the square footage of the proposed home. Granting the variance is necessary for the preservation of a similar square footage as the other homes in the subdivision possess.

3. That granting the variance will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in the vicinity and land use district in which the property is located;

That reducing the setback of the front yard by two feet to 18 feet and reducing the rear-yard setback to 20 ft. 7 in. will not create a safety hazard. The Fire Department has reviewed the application and determined that the setbacks provided by the applicant will not be detrimental to safety. (Note: the single-family dwelling is required to have a fire sprinkler system). Additionally, the Building Division has reviewed the application and determined that the setbacks provided by the applicant will not conflict with the requirements of the California Building Code.

4. That granting the variance does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and land use district in which such property is located;

That the other homes in the area have the ability to meet the required setbacks of the "R-1-6" Low-Density Residential Zone District (as modified by Planned Unit Development No. 2015-01), because the lots are not irregular. The granting of this variance does not constitute a special privilege, because this lot faces a limitation the others do not possess.

5. That granting the variance does not allow a use or activity which is prohibited in the land use district where the property is located; and

That a single-family home is a permitted use in the "R-1-6" Low-Density Residential Zone District.

6. That granting the variance will not be inconsistent with the General Plan.

That the General Plan has been reviewed and the granting of this variance would not be inconsistent with the goals, policies, and objectives of the General Plan.

THEREFORE, BE IT RESOLVED that Variance No. 2016-02, a request to allow a reduction in the front-yard setback from 20 ft. to 18 ft. and a reduction in the rear-yard setback from 25 ft. to 20 ft. 7 in. for a two-story home (as shown in Exhibit A) on an irregular lot located at 1199 N. Carroll Court (APN 009-390-051), be approved according to the following conditions:

ADMINISTRATION DEPARTMENT

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

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.

PLANNING DEPARTMENT

Contact Associate Planner: Gabrielle de Silva (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 all development conform to the site plan titled Variance No. 2016-02, as approved by the Planning Commission.
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 all conditions of approval of for Planned Unit Development No. 2015-01 listed in Resolution No. 2015-09 shall also apply.
7. That all conditions of approval of Tentative Tract Map 843 (Phase Four) listed in Resolution No. 2015-10 shall also apply.

Zoning

1. That all requirements of the "R-1-6" Low-Density Residential Zone District shall apply, except as modified under Planned Unit Development No. 2015-01 and Variance No. 2016-02, including the following:
 - a. That the two-story residence be setback a minimum of 18 ft. from the front-property line.
 - b. That the two-story residence be setback a minimum of 20 ft. 7 in. from the rear-property line.

Environmental Requirements:

1. 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.

Noise:

1. That construction equipment be muffled and construction activities be limited to the hours between 7:00 a.m. to 10:00 p.m., Monday through 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 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."
2. That all open and unlandscaped portions of the site be maintained in good condition, free from weeds, dust, trash and debris.

Dust Control:

1. That the following dust-control practices shall be implemented:

Pre-construction:

1. 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.
2. That clearing, grading, earth moving, or excavation activities cease during periods of high winds greater than 20 mph.
3. That areas disturbed by clearing, earth moving, or excavation activities be minimized at all times.

During Construction:

1. After clearing, grading, earth moving, or excavation operations, during the construction phase, fugitive emissions should be controlled by the following methods:
 - a. That non-active portions of the construction site be restricted from vehicular movement.
 - b. 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:

1. That on-site vehicle speed should be limited to 15 mph.
2. That areas with vehicle traffic be watered periodically or have petroleum-based palliatives applied for stabilization of dust emissions.
3. 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.
4. 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:

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

BUILDING DIVISION

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

1. That all structures, electrical, plumbing and mechanical work will require a permit from the City of Hanford Building Division prior to any work being done.
2. That all work must conform to current Codes and Ordinances.

EXPIRATION

That this Variance becomes null and void one year after the effective date of approval unless a building permit is issued by the building official and construction is commenced and diligently pursued toward the completion of the project. The expiration date for the variance applies only to the setback variations. A one year time extension may be granted by the 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 in effect at the time of approval.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Hanford held on the 23rd day of August 2016, by the following vote:

VOTING:

AYES: **COMMISSIONER**
NOES: **COMMISSIONER**
ABSTAIN: **COMMISSIONER**
ABSENT: **COMMISSIONER**

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 **23rd day of August 2016**.

Darlene R. Mata, Secretary

PLAN 4004: COUNTESS

RESIDENCE: FIRST FLOOR: 1,033 SQ. FT.

SECOND FLOOR: 1,211 SQ. FT.

2-CAR GARAGE: 538 SQ. FT.

PORCH: 98 SQ. FT.

TOTAL SQ. FT.: 2,880 SQ. FT.

GROUND COVER 1,669 SQ. FT

LOT SIZE: 6,081 SQ. FT.

LOT COVERAGE: 27%

(CLOSEST HOME TO THE REAR OF THIS LOT, WHICH IS LOT 233, IS PLUS OR MINUS 47'-7")

PG&E:

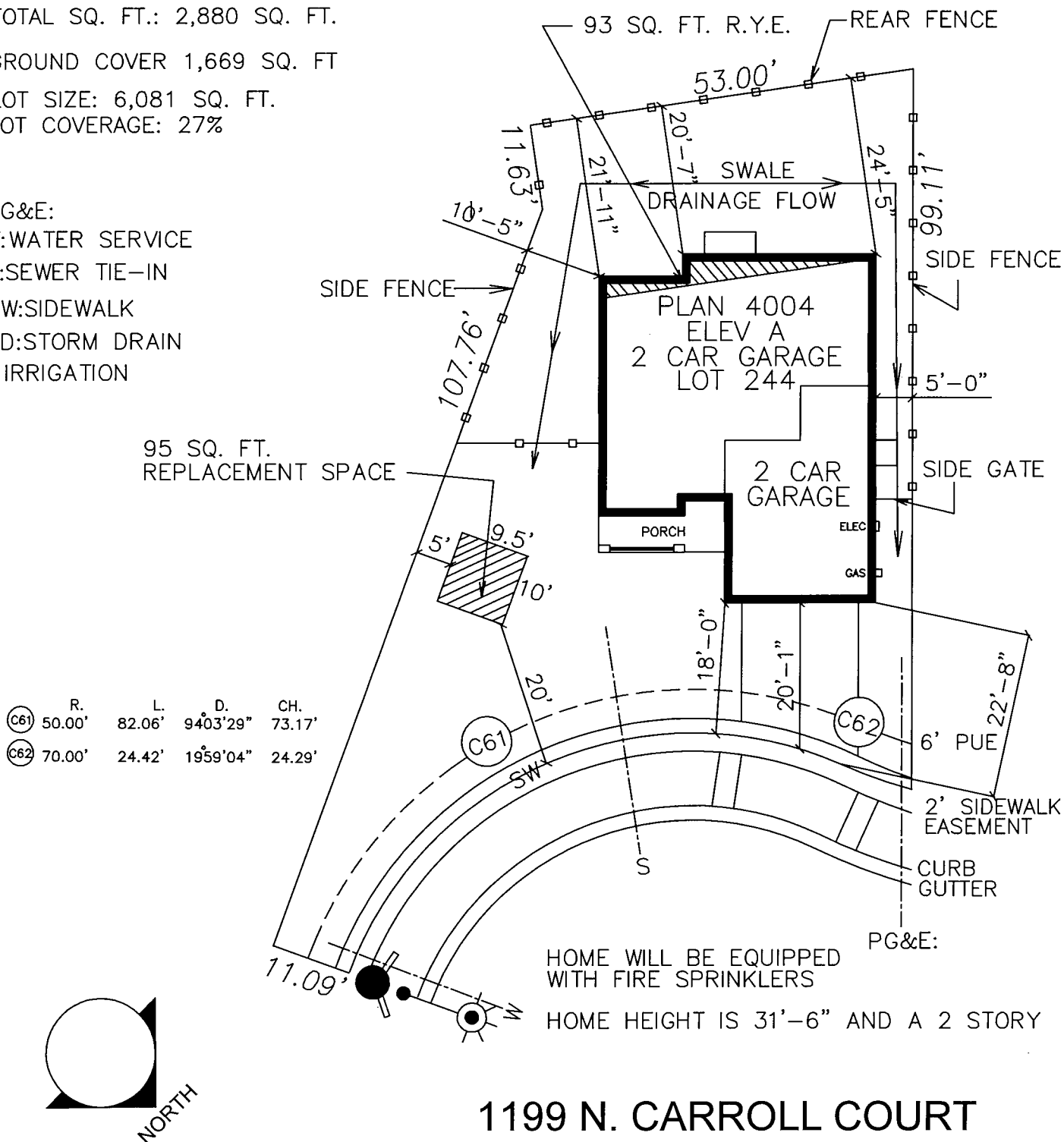
W: WATER SERVICE

S: SEWER TIE-IN

SW: SIDEWALK

SD: STORM DRAIN

I: IRRIGATION



1199 N. CARROLL COURT

APN: 009-390-051

TRACT: 843 PHASE 4

LOT: 244

LENNAR HOMES OF CALIFORNIA

SCALE: 1"=20'-0"

INDEPENDENCE IV

LENNARSM

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

From: City of Hanford (Planning Division)
317 North Douty Street
Hanford, CA 93230

County Clerk
County of Kings
Kings County Government Center
Hanford, CA 93230

Project Title: VAR 2016-02

Project Location – Specific: 1199 N. Carroll Court (APN 009-390-051)

Project Location – City: Hanford **Project Location – County:** Kings County

Description of Nature, Purpose and Beneficiaries of Project: a request to allow a reduction in the front-yard setback from 20 ft. to 18 ft. and a reduction in the rear-yard setback from 25 ft. to 20 ft. 7 in. for a two-story home on an irregular lot

Name of Public Agency Approving Project: City of Hanford, Planning Division

Name of Person or Agency Carrying Out Project: Lennar California

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 152698);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269 (a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption: State type and section number: 15303 (a), New Construction or Conversion of Small Structures
- ☐ Statutory Exemption. State code number:

Reasons why project is exempt:

- (a) The project consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to:
- a. A) One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas up to three single-family residences may be constructed or converted under this exemption.

Lead Agency

Contact Person: Gabrielle de Silva **Area Code/ Telephone:** (559) 585-2578

Signature: _____ **Date:** August 23, 2016 **Title:** Associate Planner

- ☒ Signed by Lead Agency **Date received for filing at OPR:** _____
- ☐ Signed by Applicant

Attachment: Exhibit B: Notice of Exemption (1638 : Variance No. 2016-02 (Lennar))

received

JUL 22 2016

City of Hanford
Community Development

CITY OF HANFORD

Application for:

VARIANCE NO. 2016-02

City of Hanford
Community Development Department
317 N. Douty Street
Hanford, CA 93230
(559) 585-2580 FAX: (559) 583-1633

Application Fee: \$4,915.⁰⁰
Other Fees: _____
Total Fees: _____
Receipt No. _____ Date: 7-22-16
File # 511-0182

The purpose of this review is to determine if the proposed development conforms with the provisions of the zoning Ordinance. Only the owner or owner's agent may submit an application. When filing is done by mail, the signature must be notarized. The following information is necessary and incomplete applications will not be accepted or acted upon. Please follow these directions and PRINT OR TYPE all information. Instructions for drawing a Site Plan are stated below. If the information requested is not applicable, write NA in the space provided. Feel free to use attachments to better illustrate or explain the project.

PART A: GENERAL INFORMATION

OWNER	APPLICANT	ENGINEER/DESIGNER
The Patrick Ricchiuti Family	Lennar Homes of California, Inc.	Zumwalt Hansen, Inc.
NAME Trust dated May 17, 1985		
ADDRESS 2917 E. Shepherd Ave	8080 North Palm Avenue, Suite 110	609 North Irwin
CITY Clovis, CA 93619	Fresno, CA 93711	Hanford, CA 93230
PHONE 559-299-0201	559-447-3400	559-582-1056
PROJECT ADDRESS/LOCATION: 1199 N. Carroll Court, TR843 Ph4(Lot 244)	APN: 009-390-051	

DESCRIPTION OF VARIANCE REQUEST: The variance request is to reduce the front and rear yard setbacks for this lot that has a very unusual shape at the end of the block in the cul-de-sac that will prevent the home from fitting in the normal setbacks established for the project.

PART B: SITE PLAN

INCLUDE A SITE PLAN DRAWN TO SCALE ACCORDING TO THE FOLLOWING INSTRUCTIONS:

1. INSTRUCTIONS FOR DRAWING A SITE PLAN

- Draw the site plan on a paper that is a minimum of 8-1/2 x 11 inches and a maximum of 24 x 36 inches in size. Make the scale large enough to show all details clearly. Submit twelve (12) copies with the application. In some cases, additional copies will be necessary. The following should be shown on the site plan:
- Address of the subject property and the assessor's parcel number.
- Date, North arrow, and scale of the drawing.
- Dimensions of the exterior boundaries of the site.
- Name all adjacent streets, roads, or alleys, showing right-of-way and dedication widths, reservation widths, and all types of improvements existing or proposed.

- f.) Locate and give dimensions of all existing and proposed structures on the property. Indicate the height and depth of the buildings and their distance to property lines.
 - g.) Show internal circulation and loading space. Detail off-street parking, exits and entrances, complete with dimensions and number of parking spaces.
 - h.) Show all fences, walls, and landscaping, with their locations, heights, materials and/or type.
 - i.) Show all signs, with their location, size, height, and material used.
 - j.) Show location of existing and proposed water and sewer lines.
 - k.) Indicate method of storm water drainage.
 - l.) Note any proposed method of fire protection.
 - m.) The applicant should include any additional information that may be pertinent or helpful concerning this application.
 - n.) Other data as required to permit the Community Development Department to make the required findings.
2. Submit one legible, original copy of the Site Plan reduced to an 8-1/2 x 11 size must be included with the application.

PART C: JUSTIFICATION

Justification for granting the variance request must be provided by answering the following questions:
(use separate sheet if additional space is required)

1. What special circumstances applicable to the property, such as size, shape, topography, location or surroundings are present that strict application of the Municipal Code deprives the property of privileges enjoyed by other properties in the vicinity under the identical land use district classification?

Due to the configuration of the lot at the end of the block in a cul-de-sac the lot depth is less than other lots in the tract that do not provide for the home to fit within the standard building setbacks for the front and the rear of the home. This Master Plan is the only plan that fits the best out of 8 Master Plans in this series.

2. Why is the granting of the variance necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the vicinity and land use district and denied to this property?

The granting of the variance will provide for a plan that is currently included in the product line for this project that will be consistent with the other homes in the community. The lot has a substantial side yard that will more than make up for the reduction in usable area in the front and rear yard areas.

3. How will granting the variance not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in the vicinity and land use district in which the property is located?

The use of the lot will be consistent with other uses in the community that will not have any effect on the public health, safety or welfare of the property or improvements in the vicinity.

4. How would the granting of this variance not constitute a special privilege inconsistent with the limitations placed upon other properties in the vicinity and in the same land use district?

The variance will provide for a standard home for this community that will be consistent with others in the community that will not result in any special privilege.

5. Will granting the variance allow a use or activity which is prohibited in the land use district where the property is located?

The granting of the variance will not allow a use or activity that is prohibited in the land use district since it will be consistent with the other homes in the community.

6. Will the granting the variance be inconsistent with the general plan?

The use is a single family residential home which is consistent with the general plan.

If this is a request for a variance from the parking regulations, the following must also be answered:

1. How would this variance not now or in the future interfere with the free flow of traffic on the public street?

N/A

2. How can it be ensured that the granting of the parking variance will not create a safety hazard or any other condition that is inconsistent with the objectives of the Municipal Code?

N/A

PART D: PUBLIC HEARING REQUIREMENT

The following must be provided:

1. An accurate scale drawing of the surrounding area for a minimum distance of five hundred (500) feet from each boundary of the site showing locations of existing streets, property lines. (Assessor's Parcel Maps that are obtained from the Kings County Assessor's Office may be used for this purpose.)
2. A list of the names and last known addresses of the recorded legal owners of all properties within the 500 foot distance from the exterior boundary of the site shall be obtained from the Kings County Assessor's records. (Use only the Assessor's official records; do not use other sources such as the telephone book, City directory, etc.)

PART E: CERTIFICATION

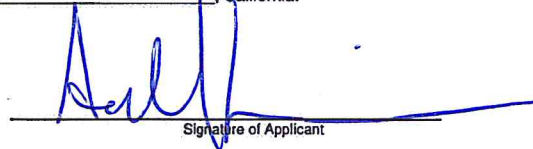
PROPERTY OWNER(S)

I am (We are) the owner(s) of the land described hereinabove and shown on the accompanying map hereby consent to the variance request for this land.


Signature of Site Owner of Record

APPLICANT

I declare that the foregoing is true and correct.
Executed on _____ at _____, California.


Signature of Applicant

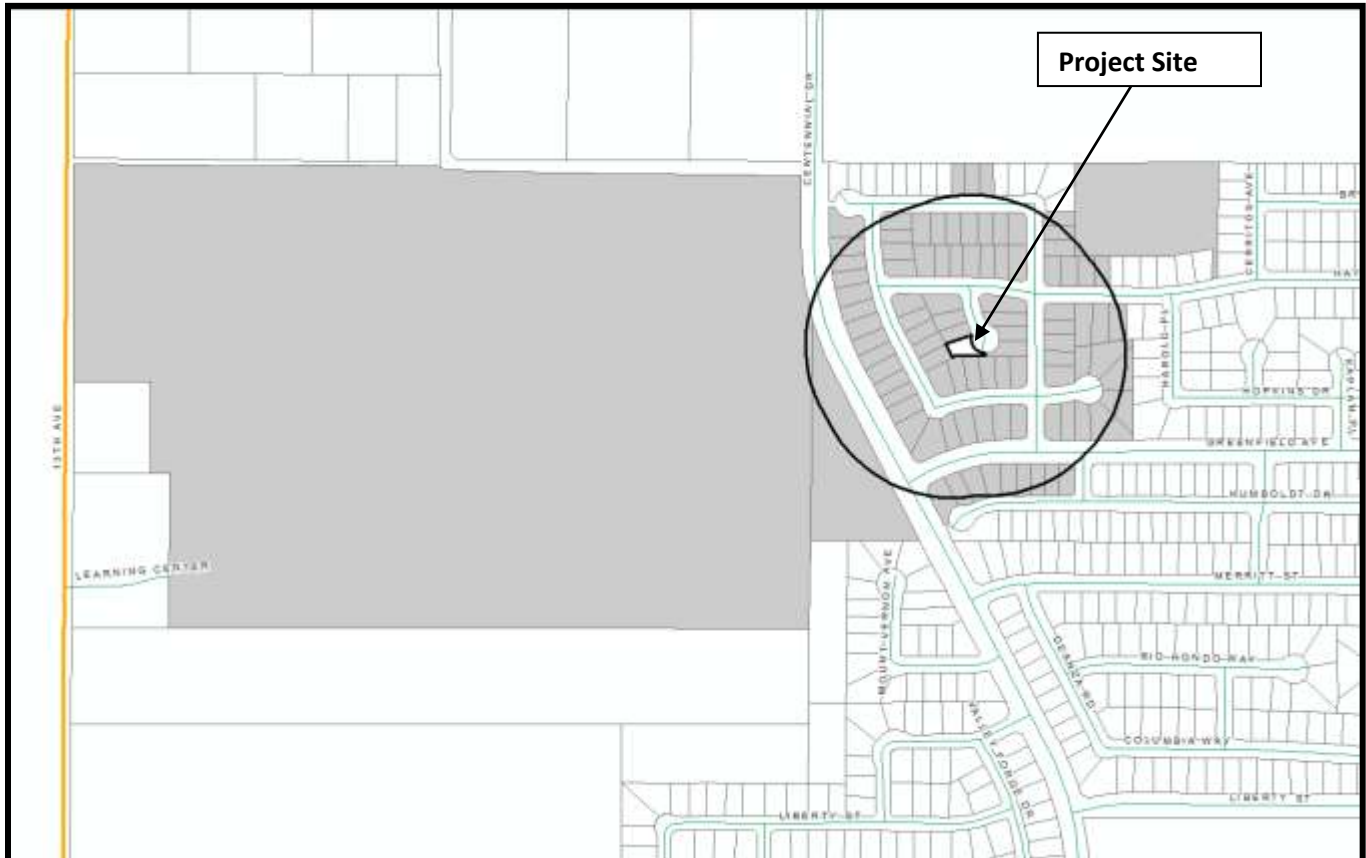
NAME (Print) Patrick Vincent Ricchiuti

Lennar Homes of California, Inc.

NAME (Print) Ara Chekerdeman

Lennar Homes of California, Inc.

Variance No. 2016-02
Project Location & Mailing List Map
1199 N. Carroll Court
APN: APN 009-390-051



Legend

- Project Site
- Properties within 500 ft radius
- 500 ft. radius boundary

Attachment: project location map (1638 : Variance No. 2016-02 (Lennar))