



AGENDA

PLANNING COMMISSION

of the

CITY OF HANFORD

COUNCIL CHAMBERS
400 N. Douty St.
7:00 PM, Tuesday, January 24, 2017

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.*

ELECTION OF 2017 CHAIR AND VICE-CHAIR

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.

Approval of the Minutes of the December 13, 2016 Meeting

PUBLIC HEARING

Variance No. 2016-07: a) a request to deviate from the standards of the Hanford Municipal Code Section 17.28.080 C. to allow a reduction in the setback of a fence from the required 10 feet from the property line, to an encroachment of three feet into the public right-of-way on Tenth Street and directly on the property line on Harris Street for property located in the “DC” Downtown Commercial Zone District; and b) a request to deviate from the standards of the Hanford Municipal Code Section 17.38.020 7 f. to reduce the requirement for off-street parking from 102 spaces to zero spaces and pay zero dollars in in-lieu parking fees for property located in the “DC” Downtown Commercial Zone District. The project is located at the southwest corner of Harris Street and Tenth Street (APN 010-271-016)

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: 1/24/2017	AGENDA SECTION:
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SUBJECT:

Approval of the Minutes of the December 13, 2016 Meeting

RECOMMENDATION:

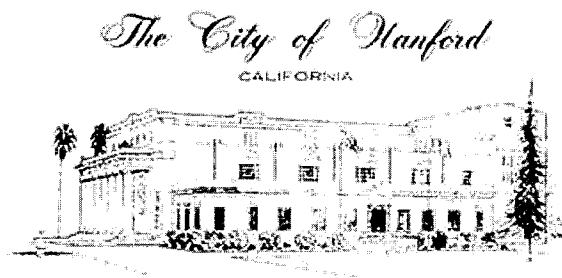
Approve the Minutes of the December 13, 2016 Meeting.

BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

PC Minutes 12-13-16



MINUTES
PLANNING COMMISSION
 of the
CITY OF HANFORD

COUNCIL CHAMBERS
400 N. Douty St.
7:00 PM, Tuesday, December 13, 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	
Richard Douglas		Present	
Michael Johnston		Present	
Travis Paden		Present	

INVOCATION

Chairperson HAM provided the invocation.

FLAG SALUTE

Chairperson HAM led the 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.*

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.

Motion by Commissioner DOUGLAS, seconded by Commissioner PADEN, to approve the Consent Calendar, amending the Minutes of the November 22, 2016 meeting to include Commissioner DOUGLAS's "Aye" vote in Public Hearing Item 2 (Variance 2016-05). Motion carried by the following roll call vote:

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

Approval of the Minutes of the November 22, 2016 Meeting

Commissioner DOUGLAS noted that his name was omitted from the vote for Public Hearing Item 2 (Variance 2016-05).

PUBLIC HEARING

- 1. Prezone No. 2016-01, a request to prezone 80.86 acres "R-1-6" Low-Density Residential, in accordance with the General Plan. Annexation/Reorganization 152, a finding of consistency that the proposed 80.86-acre annexation is consistent with the Hanford General Plan. The project involves simultaneous detachment of the property from the Kings River Conservation District and the Excelsior-Kings River Conservation District. Tentative Tract 918, a request to subdivide 40.56 acres into 127 single-family, low-density residential lots, a two-acre park, and a 5.15-acre basin. Tentative Parcel Map No. 2016-02, a request to divide a 40.56-acre parcel into two parcels (Parcel A: 20.53 acres; Parcel B: 20.03 acres) in an area proposed to be rezoned "R-1-6" Low-Density Residential. The project requires a recommendation of adoption to the City Council of Mitigated Negative Declaration No. 2016-06. The project is located south of Fargo Avenue, between 12th Avenue and 13th Avenue, west of the future Centennial Drive (APN 009-030-041, 009-030-148, and 009-030-149). PULLED AT STAFF'S RECOMMENDATION.**

This item was pulled from the agenda. Director Mata informed the Commissioners that once the new Public Hearing date has been set, they will be notified, and it will be noticed.

- 2. Conditional Use Permit No. 2016-07, a request by BJ Perch Construction for a special zoning exception to construct a three story 39,089 square foot medical office building in the SC - Service Commercial zone located on the north side of Fifth Street between Redington and Douty Streets (APNs 012-086-006 and 012-091-007).**

Chairperson HAM opened the Public Hearing at 7:06 p.m. and called for the Staff Report.

Community Development Director Mata presented the staff report, recommended approval, and answered questions from the Commissioners.

Chairperson HAM opened PUBLIC COMMENT:

Favor

Lyle Munsch, of Teter, LLC (architects for the project) provided clarification of some issues, explained the design challenges they faced with this project, and answered questions from the Commissioners.

Rosie Cervantes, Executive Director of St. Vincent de Paul, stated that she is excited about the project, but she is concerned about parking.

Opposed

None

Chairperson HAM closed Public Comment and opened Commission Discussion.

Following Commission Discussion, Chairperson HAM closed the Public Hearing at 7:36 p.m. and called for a motion.

Motion by Commissioner DOUGLAS, seconded by Commissioner PADEN, to adopt Resolution 2016-25 making a recommendation of approval of Conditional Use Permit No. 2016-07 to the City Council. Motion carried by the following roll call vote:

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

DIRECTOR'S COMMENTS

Director Mata stated that there will not be a meeting December 27, 2016. There will be a meeting January 10, 2017. Commissioner NAHAL announced that he would be out of the country for that meeting.

Director Mata anticipates that the General Plan Update will come before the Commission in February.

COMMISSIONERS' ITEMS OF INTEREST

Commissioner NAHAL asked 1) if the city has received applications for new businesses in the Costco shopping center. Director Mata replied that Panda Express and another fast-food restaurant have submitted applications. So far, there are no applications for retail or sit-down restaurants. 2) Status of Helena Chemical. Director Mata had no updates to report.

Commissioner PADEN asked if there is a projected completion date for the roundabout by Costco. Deputy Public Works Director John Doyel announced that it should be completed before Christmas.

Commissioner JOHNSTON asked if the traffic lights by Costco will stay where they are or if they will be moved. Deputy Public Works Director Doyel replied that they will stay where they are for about the next three years, and then CalTrans will probably change them.

ADJOURNMENT

Chairperson HAM adjourned the meeting at 7:46 p.m.

Respectfully submitted,

Diana Black



AGENDA STAFF REPORT

MEETING DATE: 1/24/2017	AGENDA SECTION:
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SUBJECT:

Variance No. 2016-07: a) a request to deviate from the standards of the Hanford Municipal Code Section 17.28.080 C. to allow a reduction in the setback of a fence from the required 10 feet from the property line, to an encroachment of three feet into the public right-of-way on Tenth Street and directly on the property line on Harris Street for property located in the “DC” Downtown Commercial Zone District; and b) a request to deviate from the standards of the Hanford Municipal Code Section 17.38.020 7 f. to reduce the requirement for off-street parking from 102 spaces to zero spaces and pay zero dollars in in-lieu parking fees for property located in the “DC” Downtown Commercial Zone District. The project is located at the southwest corner of Harris Street and Tenth Street (APN 010-271-016)

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

- a) Make the appropriate findings and adopt Resolution No. 2017-01, approving Part A of Variance No. 2016-07.
- b) Deny Part B of Variance No. 2016-07, due to an inability to make the required findings.

RECOMMENDED MOTION

- a) I move to adopt Resolution No. 2017-01, approving Part A of Variance No. 2016-07.
- b) I move to deny Part B of Variance No. 2016-07, due to an inability to make the required findings.

PROJECT DESCRIPTION

The project is a request by Judy Wait to deviate from the standards of the Hanford Municipal Code (HMC) Section 17.28.080 C. to construct a six-foot chain-link fence to encroach three feet into the public right-of-way on Tenth Street and to be placed on the property line for the Children's Storybook Garden and Museum off Harris Street. Additionally, the applicant has requested a deviation from the requirements of HMC 17.38.020 7 f. to reduce off-street parking from 102 spaces to zero and pay zero dollars in in-lieu fees.

The applicant requests to develop the site, as shown in attached **Exhibit A**.

Per the HMC 17.28.080 C., "In all C districts, not less than fifteen feet from the property line adjoining a street or streets shall be landscaped and permanently maintained, except when located in the downtown commercial (DC) district or the service commercial (SC) district, which shall be a minimum of 10 feet of landscaping. No fencing shall be placed in front of or within any landscaped area located next to a street(s)."

Per the HMC 17.38.020 7 f., parking spaces to be provided shall be based on the following ratio, "Places of Assembly. Other places of assembly without fixed seats, one space for each fifty (50) square feet of floor area used for assembly, plus one space for each employee of the maximum working shift."

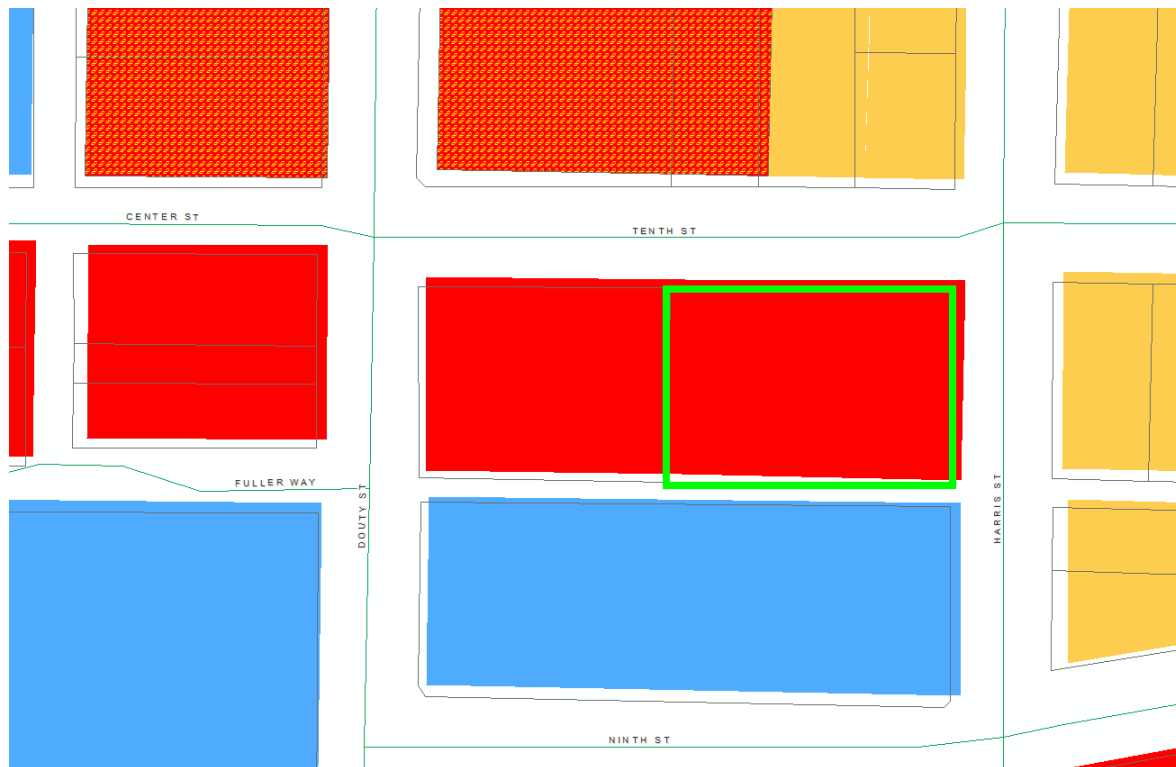
BACKGROUND INFORMATION

The proposed project site is designated by the General Plan as Downtown Commercial and is zoned "DC" Downtown Commercial. The project is located on the southwest corner of Harris Street and Tenth Street (APN 010-271-016)

Figure 1 – Land Use
Property Shown in Green



Figure 2 – Zoning “DC”
Property Shown in Green



Surrounding uses are as follows:

	General Plan Designation	Zoning	Land Use
North	Medium-Density Residential; Office Residential	RM-3; OR	Single-Family Residences
East	Medium-Density Residential	RM-3	Single-Family Residences
South	Public Facility	PF	Kings County Library
West	Downtown Commercial	DC	Chase Bank

PROJECT EVALUATION

The development of the Children's Storybook Garden and Museum was permitted under Administrative Approval No. 2012-08. Revisions to the approved administrative approval prompted the need to apply for a variance, due to the proposed location of the fence surrounding the property and the lack of off-street parking.

The Municipal Code requires property adjoining a street or streets to provide a minimum 10 feet of landscaping, and no fencing shall be placed in front of or within any landscaped area located next to a street(s). Therefore, per the Municipal Code, the fence on site shall be placed 10 feet back from the property line along Harris Street and Tenth Street.

Additionally, per the requirements of the HMC 17.39.020 7 f., parking spaces to be provided shall be based on the following ratio, "Places of Assembly. Other places of assembly without fixed seats, one space for each fifty (50) square feet of floor area used for assembly, plus one space for each employee of the maximum working shift." The applicant would be required to provide 102 parking stalls, using the above ratio. The previous Administrative Approval required that the applicant provide a reciprocal access and parking agreement with Chase Bank and Kings County Library.

The applicant proposes to deviate from the requirements of the Hanford Municipal Code by providing a fence that encroaches three feet into the public right-of-way on Tenth Street and directly on the property line on Harris Street, where there is not a building present, and by providing zero off-street parking stalls and paying zero dollars in in-lieu parking fees.

Project Design:

	Provided	Required
Lot Size	31,650 sq. ft.	No Requirement
Total Square Footage of Structures	9,115 sq. ft.	No minimum
Building Footprint	9,015 sq. ft.	No Requirement
Floor Area Ratio	0.29	Maximum 3.0
Front-yard Setback (off Harris)	0 ft.	No setback req.

Side-yard Setback (off Tenth)	0 ft.	No setback req.
Side-yard Setback (off alley)	0 ft.	No setback req.
Rear-yard setback	0 ft.	No setback req.
Fence setback (off Harris)	0 ft.	10 ft.
Fence setback (off Tenth)	3 ft. Encroachment into Public R-of-W	10 ft.
Fence setback (off alley)	0 ft.	No setback req.
Fence setback (from rear)	0 ft.	No setback req.
Off-street parking	0	102 stalls

Fencing Setbacks:

The City requires that 10 feet of landscaping be provided where a commercial site adjoins or is located across the street from a residential zone district. Landscaping must be provided for a minimum of 10 feet from the property line, wherever a building is not present. In accordance with the Hanford Municipal Code, no fencing may be placed in front of the required landscaping. The use of the project site overall is a children's garden. As opposed to a typical commercial use, the entire site will be landscaped where a building is not present. In order to maximize the space of the garden, the applicant is requesting to put the fence three feet into the public right-of-way. The applicant is requesting to place the street-trees within the fenced area, as well. The Public Works Department has reviewed and is in agreement with the request to place the fence three feet within the public right-of-way and to place the required street trees within the fenced area.

Parking

Per the HMC 17.38.020.11, "Miscellaneous Uses. For a use not specified in this subsection, the same number of parking spaces shall be provided for the most similar specified use, as determined by the Community Development Department." The Community Development Department has determined the most similar use listed to be "Places of Assembly. Other places of assembly without fixed seats, one space for each fifty (50) square feet of floor area used for assembly, plus one space for each employee of the maximum working shift." (HMC 17.38.020 7 f). Using the total building square footage of the buildings used for assembly, which include the Carriage House/Multipurpose Space, Teaching Kitchen, Future Learning Center, and the Stone Cottage (which totals 5,086 sq. ft.), the applicant would be required to provide 102 parking stalls.

In-Lieu Fees

The proposed project is located in the Central Parking and Business Improvement District. See District boundaries, attached as **Exhibit B**. In accordance with HMC 17.38.020 J, "In-Lieu Payments for Uses within the Central Parking and Business Improvement Area. In lieu of furnishing the parking spaces and facilities required by the provisions of this section for uses within the central parking and business area, the City may require the applicant, as a condition of approval of any project which is subject to the provisions of this section, to satisfy said provisions by the use of one of the following alternatives. 1. The payment to the City of an amount of money, equal to 50 percent of the value of each parking space required by the provision of this chapter for the specific use which value shall be fixed every two years by

resolution of the City Council based upon a cost analysis of developing municipal off-street parking facilities, as determined by the City Engineer. The payment of such amount shall constitute full compliance with the provisions of this section. Payment of such amount shall be made prior to occupancy. 2. The construction of such off-street parking spaces and facilities as can be constructed considering the physical limitation of the property available for such purpose and the payment of money to the City in accordance with the provisions, and under the terms of, subdivision of this subsection for the remainder of the off-street parking spaces and facilities required by this section.” Therefore, the applicant may pay parking in-lieu fees for spaces that cannot be provided. Payment of parking in-lieu fees shall be based on the established fee at the time of the building permit application; currently, the in-lieu fee is \$2,000 per space not provided. Based on the current standard and fee, the project would be required to pay for 102 spaces at \$2,000 each or \$204,000. Since there is parking available on Tenth Street and Harris Street, the applicant is requesting a variance to provide zero parking spaces and pay \$0 in in-lieu fees.

REQUIRED FINDINGS

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;

Fence Variance

That the special circumstance in this case is the unique use of the property. The property located at the southwest corner of Harris Street and Tenth Street is within the “DC” Downtown Commercial Zone District, but is proposed to be developed for a community garden and educational purposes. The use is unique and therefore, a special circumstance. The use is not a typical use for a commercial district.

Parking Variance

That the special circumstance in this case is the unique use of the property. The property located at the southwest corner of Harris Street and Tenth Street is within the “DC” Downtown Commercial Zone District, but is proposed to be developed for a community garden and educational purposes. The use is unique and therefore, a special circumstance. The use is not a typical use for a commercial district.

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;

Fence Variance

That several properties within the downtown have been permitted to encroach into the public right-of-way for fence placement, due to the large requirement of dedication for right-of-way in the original city limits.

Parking Variance

UNABLE TO MAKE FINDING. That other properties within the vicinity and the Central Parking and Business Improvement District are required to provide the required parking or pay in-lieu fees.

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;

Fence Variance

That reducing the fencing setback and allowing the fence to encroach into the public right-of-way off Tenth Street and on the property line on Harris Street for the development of the Children's Storybook Garden and Museum will not create a safety hazard. The Building Division has reviewed the application and determined that the fencing setbacks provided by the applicant will not conflict with the requirements of the California Building Code. Additionally, the Public Works Department has reviewed the application and is in favor of the placement of the fence within the public right-of-way, and for the street trees to be placed behind that fenced area.

Parking Variance

That reducing the parking requirement and allowing the applicant to pay zero dollars in in-lieu parking fees will not be detrimental to the public health, safety, or welfare. On-street diagonal parking is available to the public on Harris Street and Tenth Street, bordering the site.

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;

Fence Variance

That several properties within the downtown have been permitted to encroach into the public right-of-way for fence placement, due to the large requirement of dedication for right-of-way in the original city limits.

Parking Variance

UNABLE TO MAKE FINDING. That other properties within the vicinity and the Central Parking and Business Improvement District are required to provide the required parking or pay in-lieu fees.

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

Fence Variance

That “public and private nonprofit charitable institutions” are listed as a permitted use in the “DC” Downtown Commercial Zone District. Reducing the fence setback requirement will not allow a use or activity which is prohibited in the land use district.

Parking Variance

That “public and private nonprofit charitable institutions” are listed as a permitted use in the “DC” Downtown Commercial Zone District. Eliminating the parking requirement will not allow a use or activity which is prohibited in the land use district.

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

Fence Variance

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, by providing recreational activities as infill development.

Parking Variance

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, by providing recreational activities as infill development.

ENVIRONMENTAL ASSESSMENT

Pursuant to Section 15332, In-fill Development Projects, of the California Environmental Quality Act (CEQA) Guidelines, this project is categorically exempt from further environmental review. A Notice of Exemption has been prepared for the project in accordance with CEQA, see **Exhibit C**.

PUBLIC COMMENTS

Noticing of the variance was published in the newspaper on January 21, 2017, and mailed to property owners within 500 feet of the project site on January 20, 2017. The Community Development Department has not received comments on the project, as of the preparation of this report.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

- a) Make the appropriate findings and approve Part A of Variance No. 2016-07, allowing a deviation to the standards of HMC 17.28.080 to allow a reduction in the setback of a fence, from the required 10 feet from the property line, to an encroachment of three feet into the public right-of-way on Tenth Street and directly on the property line on Harris

Street for the Children's Storybook Garden, located in the "DC" Downtown Commercial Zone District; and

- b) Deny Part B of Variance No. 2016-07, requesting to deviate from the standards of HMC 17.38.020 7 f. to reduce the requirement for off-street parking from 102 spaces to zero spaces and pay zero dollars in in-lieu parking fees for the Children's Storybook Garden and Museum, located in the "DC" Downtown Commercial Zone District, due to an inability to make the required findings.

Property Owner

Children's Storybook Garden and Museum
175 E. Tenth Street
Hanford, CA 93230

Applicant

Judy Wait
1606 N. Redington Street
Hanford, CA 93230

FISCAL IMPACT:

ATTACHMENTS:

RESOLUTION NO. 2017-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HANFORD APPROVING VARIANCE NO. 2016-07 (A) A REQUEST TO DEVIATE FROM THE STANDARDS OF THE HANFORD MUNICIPAL CODE SECTION 17.28.080 C. TO ALLOW A REDUCTION IN THE SETBACK OF A FENCE, FROM THE REQUIRED 10 FEET FROM THE PROPERTY LINE, TO AN ENCROACHMENT OF THREE FEET INTO THE PUBLIC RIGHT-OF-WAY ON TENTH STREET AND DIRECTLY ON THE PROPERTY LINE ON HARRIS STREET FOR PROPERTY LOCATED IN THE “DC” DOWNTOWN COMMERCIAL ZONE DISTRICT. THE VARIANCE APPLIES TO THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF HARRIS STREET AND TENTH STREET (APN 010-271-016).

At a regular meeting of the Planning Commission of the City of Hanford duly called and held on January 24, 2017, on motion of Commissioner _____, seconded by Commissioner _____, and duly carried, the following resolution was adopted:

WHEREAS, on January 24, 2017, 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. 2016-07 (A), filed by **Judy Wait**, a request to deviate from the standards of the Hanford Municipal Code Section 17.28.080 C. to allow a reduction in the setback of a fence, from the required 10 feet from the property line, to an encroachment of three feet into the public right-of-way on Tenth Street and directly on the property line on Harris Street for property located in the “DC” Downtown Commercial Zone District. The project is located at the southwest corner of Harris Street and Tenth Street (APN 010-271-016); 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 January 24, 2017; and,

WHEREAS, Section 15332, of the California Environmental Quality Act Guidelines categorically exempts “In-Fill Development Projects”, from further environmental review; and

WHEREAS, all conditions of approval of Administrative Approval No. 2012-08, shall also apply; 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 January 24,

2018, 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;

Fence Variance

That the special circumstance in this case is the unique use of the property. The property located at the southwest corner of Harris Street and Tenth Street is within the "DC" Downtown Commercial Zone District, but is proposed to be developed for a community garden and educational purposes. The use is unique and therefore, a special circumstance. The use is not a typical use for a commercial district.

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;

Fence Variance

That several properties within the downtown have been permitted to encroach into the public right-of-way for fence placement, due to the large requirement of dedication for right-of-way in the original city limits.

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;

Fence Variance

That reducing the fencing setback and allowing the fence to encroach into the public right-of-way off Tenth Street and on the property line on Harris Street for the development of the Children's Storybook Garden and Museum will not create a safety hazard. The Building Division has reviewed the application and determined that the fencing setbacks provided by the applicant will not conflict with the requirements of the California Building Code. Additionally, the Public Works Department has reviewed the application and is in favor of the placement of the fence within the public right-of-way, and for the street trees to be placed behind that fenced area.

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;

Fence Variance

That several properties within the downtown have been permitted to encroach into the public right-of-way for fence placement, due to the large requirement of dedication for right-of-way in the original city limits.

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

Fence Variance

That “public and private nonprofit charitable institutions” are listed as a permitted use in the “DC” Downtown Commercial Zone District. Reducing the fence setback requirement will not allow a use or activity which is prohibited in the land use district.

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

Fence Variance

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, by providing recreational actives as infill development.

THEREFORE, BE IT RESOLVED that Variance No. 2017-01 (A), a request to deviate from the standards of the Hanford Municipal Code Section 17.28.080 C. to allow a reduction in the setback of a fence from the required 10 feet from the property line, to an encroachment of three feet into the public right-of-way on Tenth Street and directly on the property line on Harris Street for property located in the “DC” Downtown Commercial Zone District (as shown in Exhibit A), located at the southwest corner of Harris Street and Tenth Street (APN 010-271-016), 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 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. 2016-07, 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 Administrative Approval No. 2012-08 shall also apply.

Zoning

1. That all requirements of the “DC” Downtown Commercial Zone District shall apply, except as modified under Variance No. 2016-07 (A), including the following:
 - a. That where a building is not present, the site be landscaped, and a fence is permitted to encroach three feet into the public right-of-way on Tenth Street, as shown on the site plan, attached as **Exhibit A**.
 - b. That where a building is not present, the site be landscaped, and a fence is permitted to be located directly on the property line off Harris Street, as shown on the site plan, attached as **Exhibit A**.

Environmental Requirements:

1. That if cultural resources are discovered during construction or related activities, all work shall be halted and a qualified archaeologist 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.

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.
2. That where a building is not present, the site be landscaped, and a fence is permitted to encroach three feet into the public right-of-way on Tenth Street, as shown on the site plan, attached as **Exhibit A**.

3. That where a building is not present, the site be landscaped, and a fence is permitted to be located directly on the property line off Harris Street, as shown on the site plan, attached as **Exhibit A**.

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.

EXPIRATION

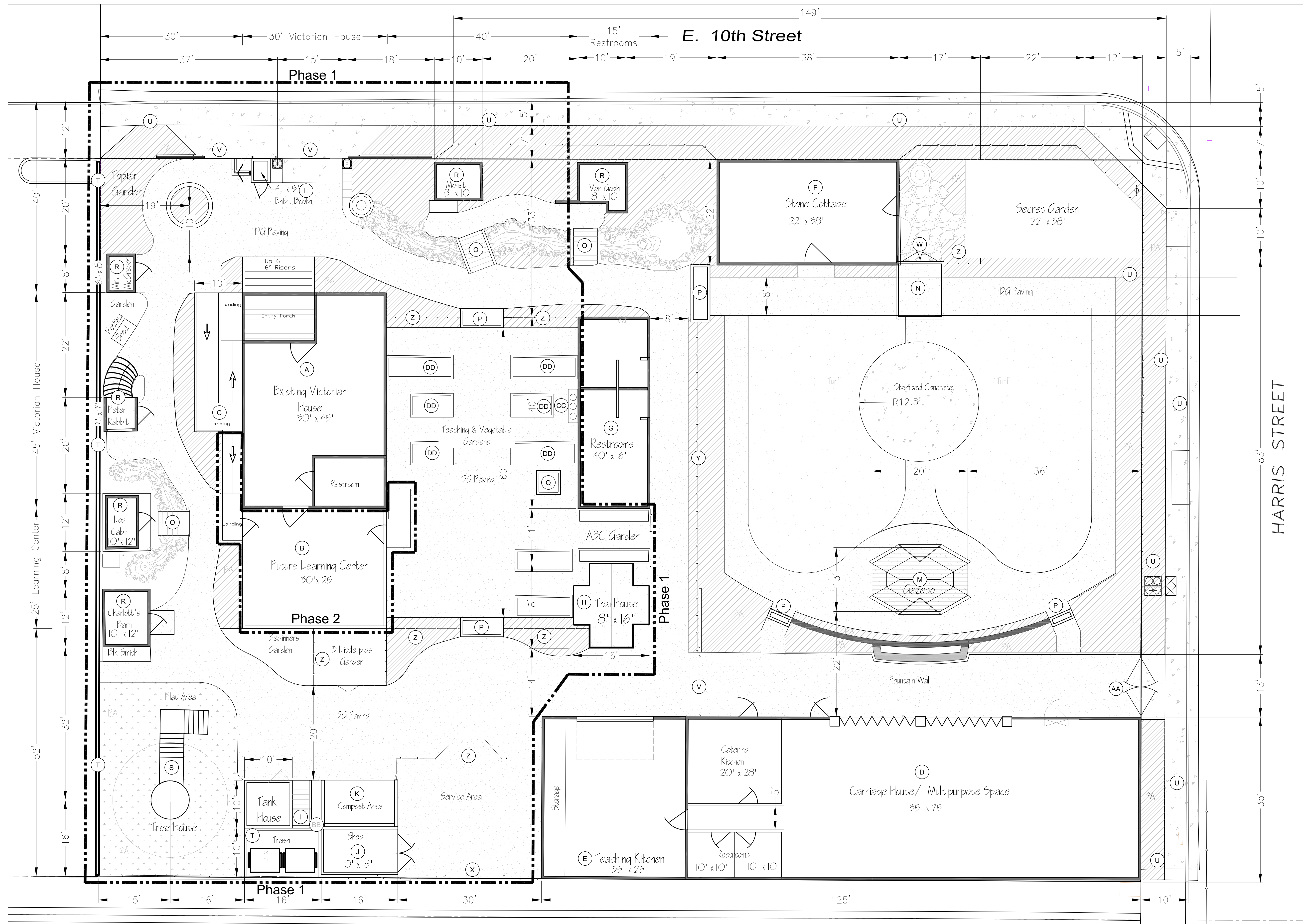
That this Variance becomes null and void one year after the effective date of approval, unless a building permit is issued by the building official and construction is commenced and diligently pursued toward the completion of the project. The expiration date for the variance applies only to the setback 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 24th day of January 2017, by the following vote:

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 **24th day of January 2017**.

Darlene R. Mata, Secretary



- A. Victorian Farm House**
Restore donated farm house - modify bathroom to ADA for staff use, period museum displays in bedroom(s), Gift shop, staff office, kitchen for staff break area, ADA ramp to front porch.
- B. Expansion to Victorian**
Extend and match architectural elements- Learning Center
- C. Victorian house Ramp**
ADA access to the Victorian House and Expansion
- D. Carriage House - One Story**
Ground floor - Multi Use Room, restrooms, catering kitchen, storage/ utilities
- E. Teaching Kitchen - One Story**
Teachers station with over head mirror, prep area, cook top, ovens, sink, refrigerator, student seating & work surfaces. Roof - Solar panels
- F. Stone Cottage**
Reading area for children, single user restroom
- G. Restrooms - multi user**
ADA restrooms - facade to be architecturally similar to farmhouse.
- H. Tea House**
- I. Tank House**
Refurbished with farmhouse - lower level water exhibit, 2nd floor storage.
- J. Tool Shed**
- K. Compost Area**
- L. Entry Booth**
- M. Event Gazebo**
- N. Garden Arch**
- O. Footbridge**
- P. Arbor**
- Q. Historic Outhouse - use as tool shed**
- R. Playhouse**
- S. Play Structure**
- T. Black Walls - raise w/ Iron6' at West Prop. line**
- U. Decorative Metal Fence - 6' with Signage & Art Panels**
- V. Entry Gate - Rolling - Ornamental Metal**
- W. Event Garden Gate - Swinging - Ornamental Metal**
- X. Access Gate - Rolling - 8' Chainlink**
- Y. Internal Wood Fence - 8' & Swing Gate - 6'**
- Z. Internal Decorative Fence - 4'**
- AA. Decorative Entry Gates- 6' x 12' W Double Swinging**
- BB. Water Heater**
- CC. Hand Wash Station**
- DD. Planter Boxes**
- Notes:**
Sanitary Sewer - shall connect to existing sewer in alley
Fire Protection - provided by existing fire hydrant at Harris & 10th intersection
Storm Water - on site drowells and existing historic surface flow to street
Parking - Existing On Street

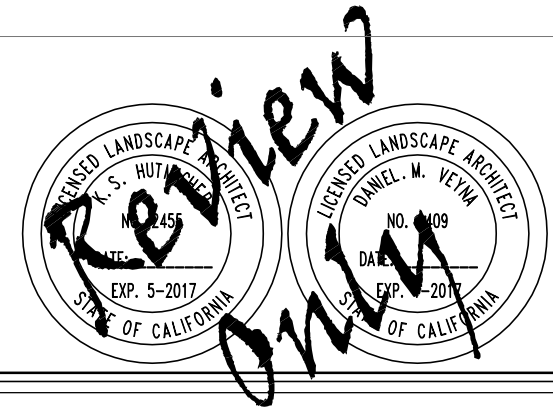
Sierra Designs, inc

Landscape Architecture and Planning
Daniel M. Veyna, ASLA
Kay Huttmacher, ASLA
113 N. Church Street Suite 310
Visalia, CA 93291
Tele: 559.733.3690 dan@sierradesignsla.com

Childrens Storybook Garden & Museum

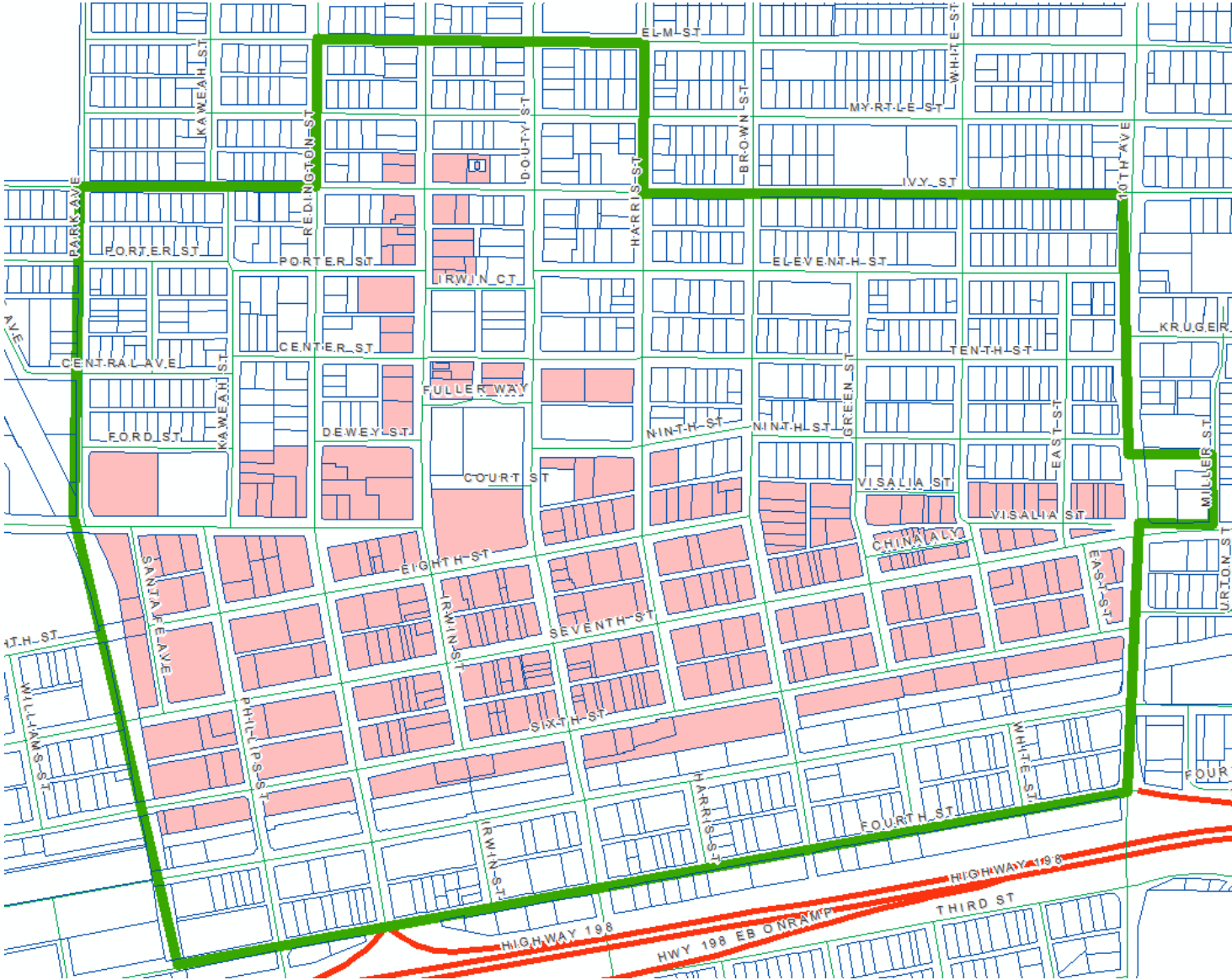
410 N. Harris Street - Hanford, California

Schematic Dimension Plan -Site Plan Review



North
West East
South
Scale 1"=10'-0"
January 11, 2017

Central Parking Improvement District Boundary



Legend:

-  Central Parking Improvement District Boundary
-  Downtown Commercial Zone District

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: Variance No. 2016-07

Project Location – Southwest corner of Harris Street and Tenth Street (APN 010-271-016).

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

Description of Nature, Purpose and Beneficiaries of Project: A variance to deviate from the standards of the Hanford Municipal Code Section 17.28.080 C. to allow a reduction in the setback of a fence, from the required 10 feet from the property line, to an encroachment of three feet into the public right-of-way on Tenth Street and Directly on the property line on Harris Street for the Children's Storybook Garden and Museum

Name of Public Agency Approving Project: City of Hanford

Name of Person or Agency Carrying Out Project: Judy Wait

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: Infill Development, Section 15332.
- ☐ Statutory Exemption. State code number:

Reasons why project is exempt:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

Lead Agency

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

Signature: _____ Date: January 24, 2017 Title: Associate Planner

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