

AGENDA
PLANNING COMMISSION
of the
CITY OF HANFORD

COUNCIL CHAMBERS
400 N. Douty St.
5:30 PM, Tuesday, October 13, 2020

CALL TO ORDER

ROLL CALL

INVOCATION

Pastor Bud Haskell, Grace Bible Church

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 **three 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.

Approval of the Minutes of the August 25, 2020

PUBLIC HEARING

Variance No. 2020-02, a request to deviate from Section 17.56.090 of the Hanford Municipal Code and permit the continued use of an existing, permanent, freestanding pylon sign in the MX-D Downtown Mixed Use zone district. The project is located at 502 N. Irwin Street (APN 010-235-006).

GENERAL BUSINESS

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. Dooty 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. Dooty 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. Dooty Street, Hanford, California, within ten (10) days following the date of the final decision of the Planning Commission.



**AGENDA
STAFF REPORT**

MEETING DATE: 10/13/2020	AGENDA SECTION:
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SUBJECT:

Approval of the Minutes of the August 25, 2020

RECOMMENDATION:

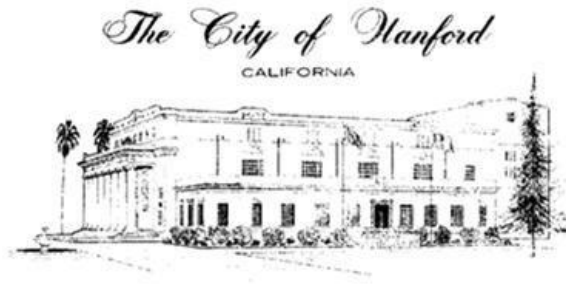
Approve the minutes of the August 25, 2020 meeting.

BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

08-25-2020



MINUTES
PLANNING COMMISSION
of the
CITY OF HANFORD

COUNCIL CHAMBERS
400 N. Douty St.
5:30 PM, Tuesday, August 25, 2020

CALL TO ORDER

Chairperson DOUGLAS called the meeting to order at 5:30 p.m.

ROLL CALL

Attendee Name	Title	Status	Arrived
Richard Douglas		Present	
Travis Paden		Present	
Savino Perico		Present	
Angel Vee Galvan		Present	
Roger Snow		Present	
Jacob Sanchez		Present	
Jason Kemp Van Ee		Present	

INVOCATION

Rev. Kyle Johnson, Lead Pastor, Glad Tidings Church

FLAG SALUTE

Commissioner Kemp Van Ee 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 **three 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 to approve the Consent Calendar.

RESULT:	APPROVED [5 TO 0]
MOVER:	Savino Perico
SECONDER:	Jacob Sanchez
AYES:	Douglas, Perico, Galvan, Snow, Sanchez
ABSTAIN:	Paden, Kemp Van Ee

Approval of the Minutes of the August 11, 2020 Planning Commission Meeting

PUBLIC HEARING

- 1. Zone Text Amendment No. 2020-02, A request by the City of Hanford to: - Amend Title 5, adding Chapter 5.64, establishing operating conditions for mobile food vendors; Amend Title 10, Section 10.14.140 conditions for use of public right-of-way by peddlers and vendors was amended to reference the requirements of Section 5.64; Amend Title 17, Section 17.08.030 – Commercial, Office, and Industrial Zone Use Table of the Hanford Municipal Code by adding Mobile Vendors as a temporary use in all commercial zones; Amend Title 17, Section 17.76 to allow mobile vendors as a temporary use; and Amend Title 17, Section 17.96 to amend the definition of mobile food vendor and food trucks. Location: Citywide.**

Chairperson DOUGLAS opened the public hearing at 5:36 p.m. and called for the staff report.

Senior Planner Myers presented the staff report, recommended approval, and invited questions of staff.

Following discussion, Chairperson DOUGLAS opened Public Comment:

FAVOR
None.

OPPOSED

Sherri Graham, owner of Plan B Taphouse, stated that they used to have food trucks every Friday night and then were told they could not have them. She was concerned about parking, stating that they own half of the parking lot. She would like to be allowed to have food trucks on Friday or Saturday nights (one food truck per night, using different food trucks).

There was discussion regarding the distance requirements for food vending vehicles from brick-and-mortar restaurants and regarding the number of vendors allowed per site.

General feedback from the Planning Commission was that the ordinance set forth was too restrictive and limited where food vending vehicles could actually locate.

Following discussion, Chairperson DOUGLAS closed Public Comment and the public hearing at 7:05 p.m., and called for a motion.

Motion to adopt Resolution No. 2020-11, with the following two amendments:

- | | | |
|--|---------------------|------------------------------------|
| 1. Section 5.64.040.E. Number of Vendors | <u>Site size</u> | <u>Number of Vendors Permitted</u> |
| | 1. 0.01 - 5 acres | two (2) vendor |
| | 2. 5.01 - 10 acres | three (3) vendors |
| | 3. 10.01 - 20 acres | four (4) vendors |
| | 4. 20.01 - 40 acres | five (5) vendors |
2. Section 5.64.050.B.2. Shall not be within two hundred fifty (250) feet of a brick-and-mortar restaurant business.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Roger Snow
SECONDER:	Jason Kemp Van Ee
AYES:	Douglas, Paden, Perico, Galvan, Snow, Sanchez, Kemp Van Ee

2. Conditional Use Permit No. 2020-06: a request by Herb and Joy to allow a Commercial Cannabis Business for a storefront dispensary for retail and delivery of cannabis products in the MX-D zone district. The project is located at 102 S. Douty Street (APN 012-095-006).

Chairperson DOUGLAS opened the public hearing at 7:08 p.m. and called for the staff report.

Senior Planner Myers presented the staff report, recommended approval, and invited questions of staff.

****A power failure occurred 7:15-7:18 p.m. The audio recording of the meeting, to this point, was lost.****

Chairperson DOUGLAS opened Public Comment:

FAVOR

A gentleman, in favor of the project, requested clarification of Condition of Approval No. 13,"That the applicant shall dedicate \$50,000 per year to community projects to be approved by the City of Hanford after operations have fully commenced."

Jeff Linden, of HerbNJoy, spoke in favor of the project and provided the requested clarification.

OPPOSED

None.

Chairperson DOUGLAS closed Public Comment, and Police Chief Sever and City Attorney Mizote responded to questions from the Commissioners.

Chairperson DOUGLAS closed the public hearing at 7:32 p.m. and called for a motion.

Motion to adopt Resolution No. 2020-10, approving Conditional Use Permit No. 2019-10.

RESULT:	APPROVED [5 TO 2]
MOVER:	Jacob Sanchez
SECONDER:	Roger Snow
AYES:	Douglas, Perico, Galvan, Snow, Sanchez
NAYS:	Paden, Kemp Van Ee

DIRECTOR'S COMMENTS

Director Mata was absent, and Senior Planner Myers had no comments.

COMMISSIONERS' ITEMS OF INTEREST

There were no items to report.

ADJOURNMENT

Chairperson DOUGLAS adjourned the meeting at 7:33 p.m.

Respectfully submitted,

Diana Black
Recording Secretary



AGENDA STAFF REPORT

MEETING DATE: 10/13/2020	AGENDA SECTION:
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SUBJECT:

Variance No. 2020-02, a request to deviate from Section 17.56.090 of the Hanford Municipal Code and permit the continued use of an existing, permanent, freestanding pylon sign in the MX-D Downtown Mixed Use zone district. The project is located at 502 N. Irwin Street (APN 010-235-006).

See staff report attached.

FISCAL IMPACT:

ATTACHMENTS:

Staff Report - VAR 2020-02

Resolution No. 2020-12

Attachment 1: elevation

Attachment 2: Historic Overlay Zone and Properties

Attachment 3: Notice of Exemption No. 2020-38

**CITY OF HANFORD PLANNING COMMISSION
STAFF REPORT
Tuesday, October 13, 2020**

PROJECT: **Variance No. 2020-02**, a request to deviate from Section 17.56.090 of the Hanford Municipal Code and permit the continued use of an existing, permanent, freestanding pylon sign in the MX-D Downtown Mixed Use zone district.

LOCATION: The project is located at 502 N. Irwin Street (APN 010-235-006).

PLANNER: Mark Manha, Assistant Planner

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

1. Adopt Resolution No. 2020-12, approving Variance No. 2020-02.

RECOMMENDED MOTION

1. I move to adopt Resolution No. 2020-12, approving Variance No. 2020-02.

PROJECT DESCRIPTION

The project is a request to deviate from the standards of the Hanford Municipal Code Section 17.56.090, in order to permit the continued use of an existing, permanent, freestanding pylon sign and modify its content in the MX-D Downtown Mixed Use zone district, as shown in **Attachment 1**. The applicant proposes to replace the existing panels in the double-sided sign with new panels and an LED gas price changer. Freestanding signage is not permitted in the MX-D Downtown Mixed Use zone district without the issuance of a variance.

Project Location

The proposed project is located at 502 N. Irwin Street (APN 010-235-006) (see Figure 1, below). The General Plan designates the property as Downtown Mixed Use (see Figure 2, below). The property is zoned MX-D Downtown Mixed Use, which corresponds with the General Plan designation (see Figure 3, below). This is a designated historic site. See the Historic Overlay Zone and Historic Sites map, **Attachment 2**, which shows that the building is considered contributing.

BACKGROUND INFORMATION

The applicant submitted Sign Permit No. 2020-41, proposing to install new signage on the building façade and utilize the existing freestanding sign on site. Approval of Sign Permit No. 2020-41 is subject to approval of this variance application, as it proposes a freestanding sign, which is not permitted in accordance with Section 17.56.090 of the Hanford Municipal Code.

Figure 1:
Land Use (property outlined in red)

Attachment: Staff Report - VAR 2020-02 (VAR 2020-02)



Figure 2:
General Plan Designation (property outlined in bold)
MX-D Downtown Mixed Use

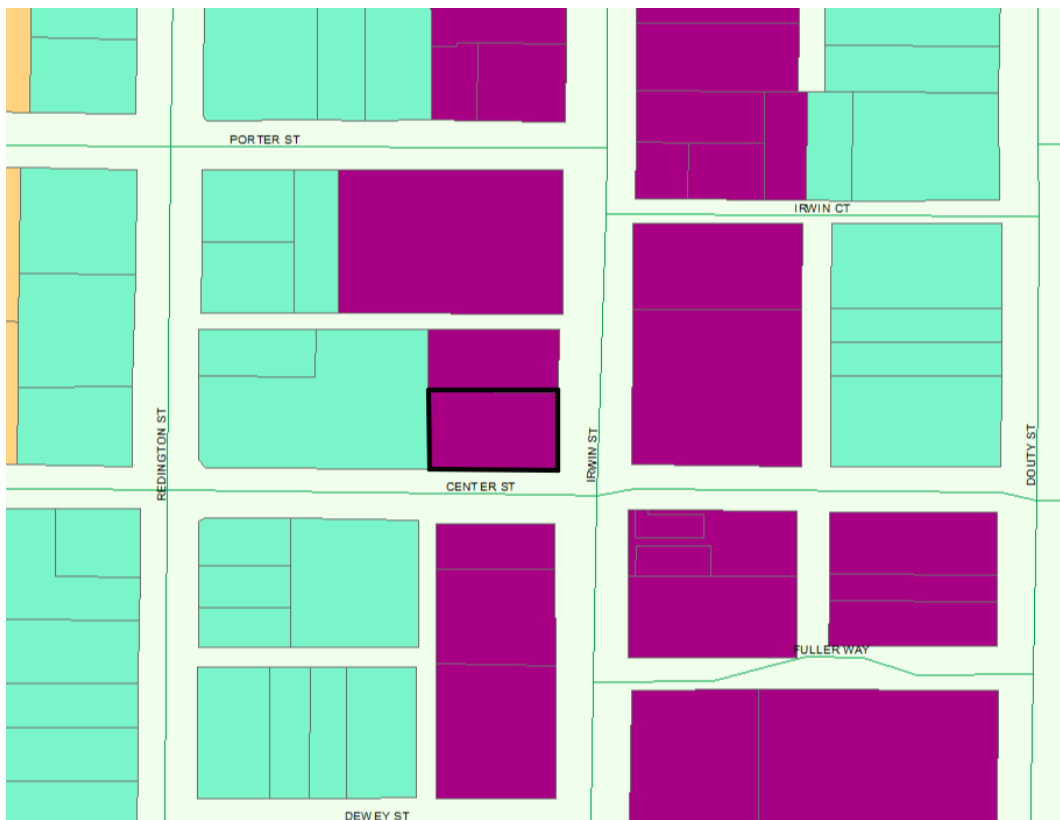
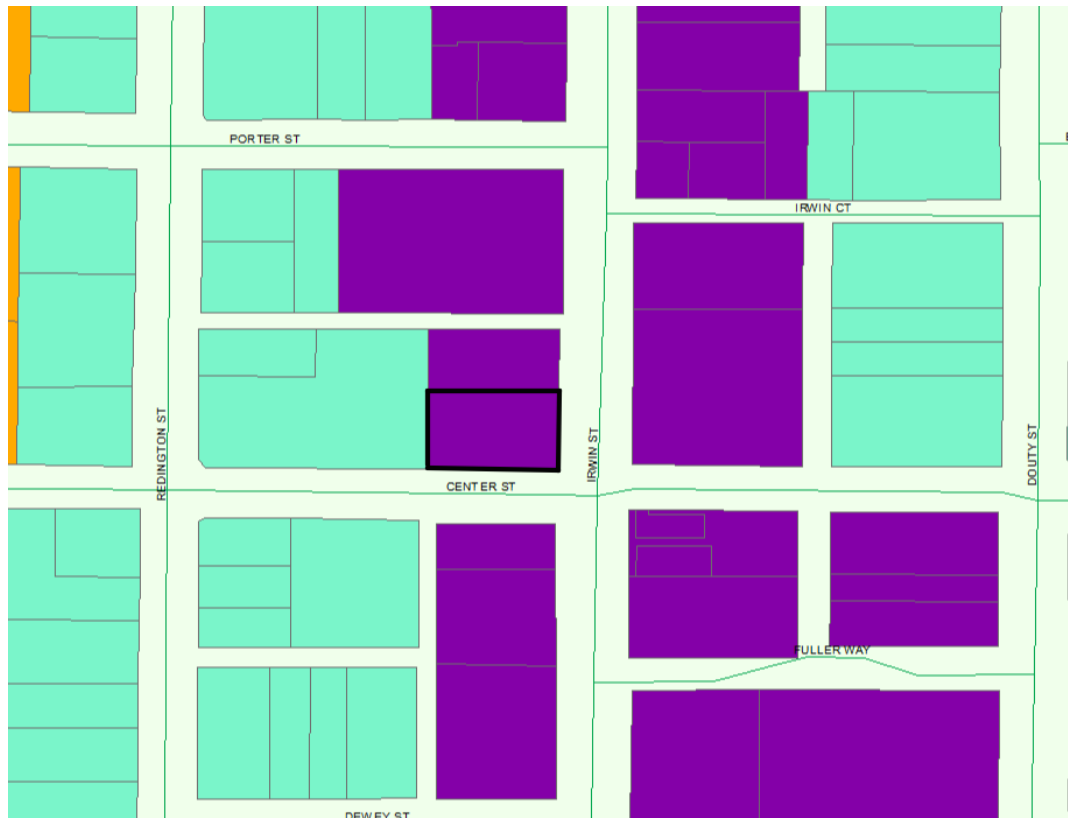


Figure 3:
Zoning Designation (property outlined in bold)
MX-D Downtown Mixed Use



PROJECT EVALUATION

The Municipal Code Section 17.56.090(A) permits the following for permanent building and freestanding signage:

Table 1:
Municipal Code Section 17.56.090(A) Excerpt

Number and Size of Permanent Signs by Zone		
Zone District	Building Signs	Freestanding Signs
MX-D zone	2 sq. ft. per 1 lineal foot of building frontage up to 100 sq. ft. on primary frontage. 1 sq. ft. per 1 lineal foot up to 100 sq. ft. on secondary frontage.	None allowed.

	External illumination or exposed neon illumination only.	
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As shown in the table above, freestanding signs are not permitted in the MX-D Downtown Mixed Use zone district. An existing, freestanding pylon sign stands on this property at the corner of Irwin and Center Streets. The sign is considered legally existing, nonconforming. According to Section 17.56.250, a sign or outdoor advertising display of any character lawfully occupying a site prior to the adoption of this zoning code or on the effective date of applicable amendments to the zoning code which as a result of the adoption or amendment of the zoning code does not conform with the standards for subject matter, location, size, lighting or movement prescribed for the district in which it is located, shall be deemed to be a nonconforming sign or advertising structure and may be displayed and maintained in said district, except as otherwise provided in this section.

In accordance with Section 17.56.050(A)(12), nonconforming signs and sign structures associated with an activity, business, product or service that has not been sold, produced, provided or conducted on the premises for a period of 90 days shall be prohibited. The former gas station ceased operation on March 31, 2018. Therefore, use of the nonconforming sign is prohibited, without approval of the variance application, as the business has not been conducted on the site for a period exceeding 90 days.

To operate a gas station in the State of California, businesses must meet the standards set by the California Business and Professions Code. Chapter 14 of Division 5 of the California Business and Professions Code regulates the advertising for businesses that sell any motor vehicle fuel to the public:

§ 13531.(a)(1) – Every person offering for sale or selling any motor vehicle fuel to the public from any place of business shall display on the premises an advertising medium that complies with the requirements of this article and that advertises the total prices of the three major grades of motor vehicle fuel offered for sale.

(2) – The advertising medium shall be clearly visible from the street or highway adjacent to the premises. When the place of business is situated at an intersection, the advertising medium shall be clearly visible from each street of the intersection.

This section of the California Business and Professions Code defines an advertising medium as including banners, signs, placards, posters, streamers, and cards. The existing freestanding sign complies with these requirements and will continue to comply with these requirements with the proposed modifications.

While this site is not in an integrated shopping center, it is typical for freestanding pylon signage at gas stations to conform to the size requirements for freestanding signage within integrated shopping centers. Freestanding signs in other mixed use zone districts within integrated shopping centers are permitted to have one freestanding sign up to 350 sq. ft., with a maximum height not greater than 1.5 times the average height of the building. This sign is approximately 48.97 sq. ft. per face, less than the maximum limit for freestanding signage in an integrated shopping center. For the 15.5-foot-high existing building, the sign may be a maximum of 23.25 feet high. The sign is 20 feet high, which is less than the allowable maximum height. This sign meets the standards required of other freestanding pylon signs in Hanford.

As a historic site, the sign was also evaluated for consistency with Section 17.48 Historic Overlay Zone of the Hanford Municipal Code; the colors proposed to be used can be considered consistent with the Historic Color palette. While wall mounted can or cabinet type internally illuminated wall signs are not permitted, the proposed LED gas price changer is not a wall sign and conforms to the same standards as other gas station signs with illuminated freestanding gas price changer signage; it is required for this business to display this advertising per Chapter 14 of Division 5 of the California Business and Professions Code.

FINDINGS FOR APPROVAL: VARIANCE NO. 2020-02

VARIANCE No. 2020-02

In taking action on a Variance, the Planning Commission must make the appropriate findings, in accordance with Section 17.84.050 of the Hanford Municipal Code:

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

ANALYSIS: That the special circumstance applicable to this property is the State requirements for the advertisement of motor vehicle fuel sales. According to Section 13531(a)(1) of Chapter 14 in Division 5 of the California Business and Professions Code, an advertising medium shall be located on the premises for any business selling motor vehicle fuel to the public. Section 13531(a)(2) of Chapter 14 in Division 5 of the California Business and Professions Code states that when a business selling motor vehicle fuel is located at an intersection, the advertising medium shall be clearly visible from each street. The existing sign proposed to be utilized meets these requirements. 600 N. Irwin Street, a motor vehicle fuel sales location in the vicinity located within the same zone district, has similar freestanding signage.

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

ANALYSIS: That there is a legally existing, freestanding pylon sign for the gas station at 600 N. Irwin Street, which is within the same vicinity and zone district as the subject property. Approval of this variance application would allow the applicant to enjoy a substantial property right possessed by other properties in the vicinity that are in the same zone district.

3. That 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 that are in the same zone district in which the property is located;

ANALYSIS: That allowance of the variance to maintain the existing signage will not create a safety hazard. The existing sign was lawfully erected and therefore has been inspected by the Building Division for safety. As it exists, the sign has not been materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and that are in the same zone district in which the property is located.

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

ANALYSIS: That approval of this variance application would not constitute a special privilege inconsistent with the limitations upon other properties in the MX-D Downtown Mixed Use zone district. Other types of businesses in the MX-D Downtown Mixed Use zone district do not have the same requirements for advertising their products. Other gas station sites in the same zone district have existing freestanding signage, which was approved prior to the adoption of the latest Municipal Code in 2017.

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

ANALYSIS: That this variance is a request to deviate from Section 17.56.090(A) of the Hanford Municipal Code in order to permit the use of an existing freestanding sign in the MX-D Downtown Mixed Use zone district. The existing sign meets the State advertising requirements for motor vehicle fuel sales. The use of the site for retail fuel sales is permitted by right in the MX-D Downtown Mixed Use zone district.

6. That the variance is consistent with the purposes of this title;

ANALYSIS: That in accordance with Section 17.84.010, the purpose of a variance is to allow deviations from the development standards of the Hanford Municipal Code when, because of special circumstances applicable to the property, including location, shape, size, surroundings, topography, or other physical conditions, the strict application of the standards denies the property owner privileges enjoyed by other property owners in the vicinity and in the same zoning district. The special circumstance applicable to this property is the State requirements for the advertisement of motor vehicle fuel sales. According to Section 13531(a)(1) of Chapter 14 in Division 5 of the California Business and Professions Code, an advertising medium shall be located on the premises for any business selling motor vehicle fuel to the public. Section 13531(a)(2) of Chapter 14 in Division 5 of the California Business and Professions Code states that when a business selling motor vehicle fuel is located at an intersection, the advertising medium shall be clearly visible from each street. The existing sign meets these requirements. 600 N. Irwin Street, a motor vehicle fuel sales location in the vicinity located within the same zone district, has similar freestanding signage.

7. That the variance will be consistent with the General Plan.

ANALYSIS: That the General Plan has been reviewed, and the granting of this variance would be consistent with the goals, policies, and objectives of the General Plan, specifically Policy L112, which encourages the development of neighborhood amenities and complimentary uses in central locations of neighborhoods whenever feasible.

PUBLIC COMMENTS

A Notice of Public Hearing for a Variance was noticed in the local newspaper on October 2, 2020 and mailed to property owners within 300 feet of the project site on October 1, 2020. No comments were received, as of the date of preparation of this report.

ENVIRONMENTAL ASSESSMENT

That this project is categorically exempt from further environmental review, as per Section 15301 Existing Facilities of the California Environmental Quality Act (CEQA) Guidelines. There are no exceptions to this exemption, as per Section 15300.2 Exceptions of the California Environmental Quality Act (CEQA) Guidelines. A Notice of Exemption has been prepared and is attached as **Attachment 3**.

CONDITIONS OF APPROVAL

The following conditions of approval shall be applied to the use:

Variance No. 2020-02:

1. That the colors utilized be consistent with the Historic District color palette. Any request to change the colors proposed requires review by the Community Development Department, consistent with the requirements of Section 17.48.060.

RECOMMENDATION

Staff recommends that the Planning Commission:

1. Adopt Resolution No. 2020-12, approving Variance No. 2020-02.

Applicant:

SignWorks
109 E. Fifth St.
Hanford, CA 93230

Property Owner:

Harjog Lidder
3273 N. Plum Ln.
Hanford, CA 93230

RESOLUTION NO. 2020-12

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HANFORD
PERTAINING TO VARIANCE NO. 2020-02, A REQUEST TO DEVIATE FROM SECTION
17.50.090 OF THE HANFORD MUNICIPAL CODE AND PERMIT THE CONTINUED USE OF
AN EXISTING, PERMANENT, FREESTANDING PYLON SIGN IN THE MX-D DOWNTOWN
MIXED USE ZONE DISTRICT. THE PROJECT IS LOCATED AT 502 N. IRWIN STREET (APN
010-235-006).**

At a regular meeting of the City of Hanford Planning Commission duly called and held on October 13, 2020 on motion of Commissioner _____, seconded by Commissioner _____, and duly carried, the following resolution was adopted:

WHEREAS, Variance No. 2020-02, a request to deviate from Section 17.56.090 of the Hanford Municipal Code and permit the continued use of an existing, permanent, freestanding pylon sign in the MX-D Downtown Mixed Use zone district, as shown in **Exhibit A**, has been reviewed by the Planning Commission of the City of Hanford in accordance with Title 17.80 of the Hanford Municipal Code; and

WHEREAS, the project is located at 502 N. Irwin Street (APN 010-235-006); and

WHEREAS, staff, the various governmental departments, and the Planning Commission have given careful consideration to this conditional use permit and have made recommendations thereon; and

WHEREAS, the project is exempt from environmental review, per Section 15301 Existing Facilities of the California Environmental Quality Act of the California Environmental Quality Act (CEQA) Guidelines and a Notice of Exemption has been prepared; and

WHEREAS, on the basis of the facts and evidence provided in the staff report and the written and oral evidence presented at the public hearing, the Planning Commission hereby makes the following findings pursuant to Section 17.80.030 of the Hanford Municipal Code:

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

ANALYSIS: That the special circumstance applicable to this property is the State requirements for the advertisement of motor vehicle fuel sales. According to Section 13531(a)(1) of Chapter 14 in Division 5 of the California Business and Professions Code, an advertising medium shall be located on the premises for any business selling motor vehicle fuel to the public. Section 13531(a)(2) of Chapter 14 in Division 5 of the California Business and Professions Code states that when a business selling motor vehicle fuel is located at an intersection, the advertising medium shall be clearly visible from each street. The existing sign proposed to be utilized meets these requirements. 600 N. Irwin Street, a motor vehicle fuel sales location in the vicinity located within the same zone district, has similar freestanding signage.

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

ANALYSIS: That there is a legally existing, freestanding pylon sign for the gas station at 600 N. Irwin Street, which is within the same vicinity and zone district as the subject property. Approval of this variance application would allow the applicant to enjoy a substantial property right possessed by other properties in the vicinity that are in the same zone district.

3. That 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 that are in the same zone district in which the property is located;

ANALYSIS: That allowance of the variance to maintain the existing signage will not create a safety hazard. The existing sign was lawfully erected and therefore has been inspected by the Building Division for safety. As it exists, the sign has not been materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity and that are in the same zone district in which the property is located.

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

ANALYSIS: That approval of this variance application would not constitute a special privilege inconsistent with the limitations upon other properties in the MX-D Downtown Mixed Use zone district. Other types of businesses in the MX-D Downtown Mixed Use zone district do not have the same requirements for advertising their products. Other gas station sites in the same zone district have existing freestanding signage, which was approved prior to the adoption of the latest Municipal Code in 2017.

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

ANALYSIS: That this variance is a request to deviate from Section 17.56.090(A) of the Hanford Municipal Code in order to permit the use of an existing freestanding sign in the MX-D Downtown Mixed Use zone district. The existing sign meets the State advertising requirements for motor vehicle fuel sales. The use of the site for retail fuel sales is permitted by right in the MX-D Downtown Mixed Use zone district.

6. That the variance is consistent with the purposes of this title;

ANALYSIS: That in accordance with Section 17.84.010, the purpose of a variance is to allow deviations from the development standards of the Hanford Municipal Code when, because of special circumstances applicable to the property, including location, shape, size, surroundings, topography, or other physical conditions, the strict application of the standards denies the property owner privileges enjoyed by other property owners in the vicinity and in the same zoning district. The special circumstance applicable to this property is the State requirements for the advertisement of motor vehicle fuel sales. According to Section 13531(a)(1) of Chapter 14 in Division 5 of the California Business and Professions Code, an advertising medium shall be located on the premises for any business selling motor vehicle fuel to the public. Section 13531(a)(2) of Chapter 14 in Division 5 of the California Business and Professions Code states that when a business selling motor vehicle fuel is located at an intersection, the advertising medium shall be clearly visible from each street. The existing sign meets these requirements. 600 N. Irwin Street, a motor vehicle fuel sales location in the vicinity located within the same zone district, has similar freestanding signage.

7. That the variance will be consistent with the General Plan.

ANALYSIS: That the General Plan has been reviewed, and the granting of this variance would be consistent with the goals, policies, and objectives of the General Plan, specifically Policy L112, which encourages the development of neighborhood amenities and complimentary uses in central locations of neighborhoods whenever feasible.

THEREFORE, BE IT RESOLVED that Variance No. 2020-02 be approved, subject to the conditions of approval below:

1. That the colors utilized be consistent with the Historic District color palette. Any request to change the colors proposed requires review by the Community Development Department, consistent with the requirements of Section 17.48.060.

EXPIRATION

That this variance shall become null and void two (2) years after the effective date of approval, unless, prior to the expiration, the use for which the permit was approved has commenced. Prior to expiration of a permit, a person having authority to file an application may file a written request with the Community Development Director for extension of a permit that may otherwise expire. The request for extension will be taken to the Planning Commission, who may extend the expiration of the permit by one year.

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

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

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

I, **DARLENE R. MATA**, Secretary of the City of Hanford Planning Commission, 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 13th day of October 2020.

Darlene R. Mata, Secretary

Exhibit A
Site Plan

Attachment: Resolution No. 2020-12 (VAR 2020-02)

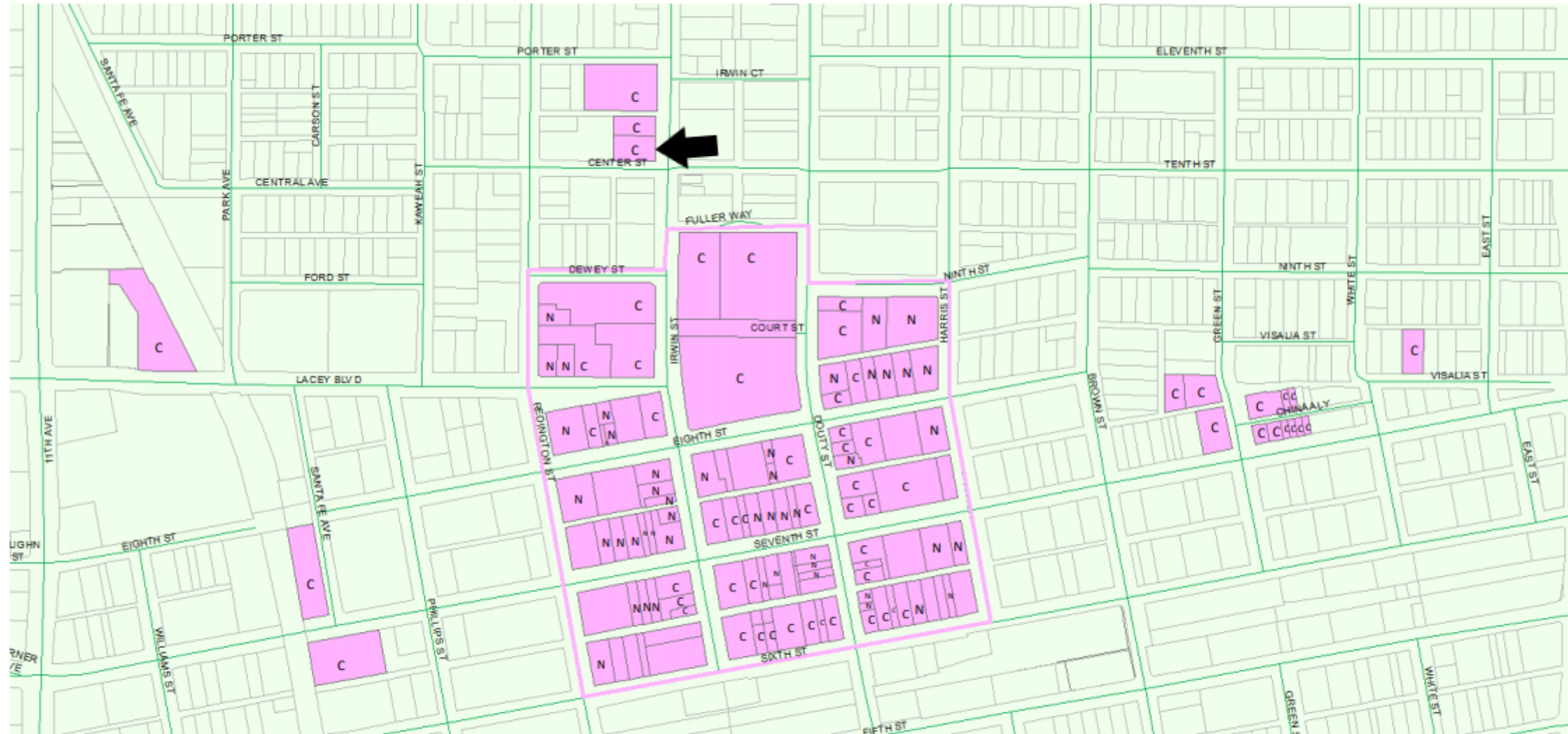




Attachment: Attachment 1: elevation (VAR 2020-02)

Historic Overlay Zone and Properties

d



Legend

- Historic Overlay Zone
- Historic Properties
- C - Contributing Buildings
- N - Noncontributing Buildings

Attachment: Attachment 2: Historic Overlay Zone and Properties (VAR 2020-02)

Notice of Exemption 2020-38

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

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

From: City of Hanford
317 North Douty Street
Hanford, CA 93230

Project Title: Variance 2020-02

Project Location – 502 N. Irwin Street (APN 010-235-006)

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

Description of Nature, Purpose and Beneficiaries of Project: Variance No. 2020-02, a request to deviate from Section 17.56.090 of the Hanford Municipal Code and permit the continued use of an existing, permanent, freestanding pylon sign in the MX-D Downtown Mixed Use zone district.

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

Name of Person or Agency Carrying Out Project: SignWorks

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: 15301 Existing Facilities
☐ Statutory Exemption. State code number:

Reasons why project is exempt:

The City of Hanford determined the project to be exempt from environmental review pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines. Section 15301 states that Class 1 exemptions consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. This project involves the minor alteration of an existing sign, involving negligible or no expansion of the existing or former use.

Lead Agency

Contact Person: Mark Manha Area Code/ Telephone: (559) 585-2583

Signature: _____ Date: October 13, 2020 Title: Assistant Planner

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

Attachment: Attachment 3: Notice of Exemption No. 2020-38 (VAR 2020-02)