

AGENDA

PLANNING COMMISSION

of the

CITY OF HANFORD

COUNCIL CHAMBERS
400 N. Douty St.
5:30 PM, Tuesday, July 12, 2022

Commissioners will meet in person in the Council Chambers. The meeting will also be livestreamed on the City's website: <http://livestream.hanford.city/>

CALL TO ORDER

ROLL CALL

INVOCATION

Rev. Bardo Aguilar, Executive Pastor, New Hope Community 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.

1. Approval of the May 24, 2022 Minute

2. Approval of the June 28, 2022 Minute

PUBLIC HEARING

3. **Variance No. 2022-04:** A request to deviate from the standards of the Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for an irregular corner lot in the R-L-5 Low-Density Residential zone district from 10 feet to five feet and one inch. The project is located at 1304 S. Angus Court (APN 011-110-029). The subject site is lot 182 of Tract 865, which has not been assigned its own assessor's parcel number yet. The APN provided is for the parcel, overall, pre-subdivision.
4. **Variance No. 2022-06:** A request to deviate from the standards of the Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for an irregular corner lot in the R-L-5 Low-Density Residential zone district from 10 feet to five feet. The project is located at 1305 S. Angus Court (APN 011-110-029). The subject site is lot 181 of Tract 865, which has not been assigned its own assessor's parcel number yet. The APN provided is for the parcel, overall, pre-subdivision.
5. **Variance No. 2022-07:** A request to deviate from the standards of the Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for an irregular corner lot in the R-L-5 Low-Density Residential zone district from 10 feet to five feet. The project is located at 1302 S. Autumn Breeze Court (APN 011-110-029). The subject site is lot 168 of Tract 865, which has not been assigned its own assessor's parcel number yet. The APN provided is for the parcel, overall, pre-subdivision.

GENERAL BUSINESS

6. **Finding of General Plan Consistency for the declaration of surplus and disposition of real city property for the exclusive use as a hotel parking lot, located at the southeast corner of Sixth and Redington Streets (APN 012-086-004).**

DIRECTOR'S COMMENTS

COMMISSIONERS' ITEMS OF INTEREST

At this time, any Commissioner may ask a question for clarification of matters within the Planning Commission's jurisdiction, make an announcement, or report briefly on activities in their role as a Planning Commissioner. In addition, subject to the Planning Commissioner's Handbook, Commissioners may request staff to report back to the Planning Commission at a subsequent meeting concerning any matter within Commissioner's jurisdiction (GC 54954.2).

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



**AGENDA
STAFF REPORT**

MEETING DATE: 7/12/2022

AGENDA SECTION: 1

SUBJECT:

Approval of the May 24, 2022 Minute

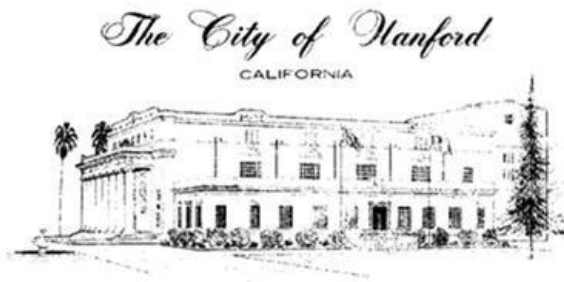
RECOMMENDATION:

Approve the minutes of the May 24, 2022 meeting.

FISCAL IMPACT:

ATTACHMENTS:

05-24-2022



MINUTES

PLANNING COMMISSION

of the

CITY OF HANFORD

COUNCIL CHAMBERS
400 N. Douty Street
5:30 p.m., Tuesday, May 24, 2022

Commissioners will meet in person in the Council Chambers. The meeting will also be livestreamed on the City's website: <http://livestream.hanford.city/>

CALL TO ORDER

Chair SANCHEZ called the meeting to order at 5:30 p.m.

ROLL CALL

Attendee Name	Title	Status	Arrived
Richard Douglas		Present	5:17 PM
Travis Paden		Present	5:17 PM
Martin Devine		Absent	
Jacob Sanchez		Present	5:16 PM

INVOCATION

Diana Black led the invocation.

FLAG SALUTE

Vice-Chair PADEN 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.

Approval of the Minutes of the May 10, 2022 Meeting

Motion to approve the Consent Calendar

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Travis Paden
SECONDER:	Richard Douglas
AYES:	Douglas, Paden, Sanchez
ABSENT:	Devine

PUBLIC HEARING

Conditional Use Permit No. 2022-02, a request to divide a legally-existing, nonconforming single-family residence in the PF Public Facility zone district into a duplex for use by Kings Rehabilitation Center, in accordance with Section 17.90.110 Change of Nonconforming Uses of the Hanford Municipal Code. The project is located at 984 S. Green Street on the Kings Rehabilitation Center Property, located at 494 E. Hanford-Armona Road (APN 012-232-077).

Chair SANCHEZ opened the public hearing.

Senior Planner Myers stated that, as presented in the staff report, staff recommended approval of the project, by adoption of Resolution No. 2022-18. She then invited questions.

There being no questions, Chair SANCHEZ called for a motion.

Motion to adopt Resolution No. 2022-18, approving Conditional Use Permit No. 2022-02.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Travis Paden
SECONDER:	Richard Douglas
AYES:	Douglas, Paden, Sanchez
ABSENT:	Devine

DIRECTOR'S COMMENTS

None.

Attachment: 05-24-2022 (5-24-22 Minutes)

COMMISSIONERS' ITEMS OF INTEREST

At this time, any Commissioner may ask a question for clarification of matters within the Planning Commission's jurisdiction, make an announcement, or report briefly on activities in their role as a Planning Commissioner. In addition, subject to the Planning Commissioner's Handbook, Commissioners may request staff to report back to the Planning Commission at a subsequent meeting concerning any matter within Commissioner's jurisdiction (GC 54954.2).

None.

ADJOURNMENT

Chair SANCHEZ adjourned the meeting at 5:34 p.m.

Respectfully submitted,

Diana Black
Recording Secretary

Attachment: 05-24-2022 (5-24-22 Minutes)



**AGENDA
STAFF REPORT**

MEETING DATE: 7/12/2022

AGENDA SECTION: 2

SUBJECT:

Approval of the June 28, 2022 Minute

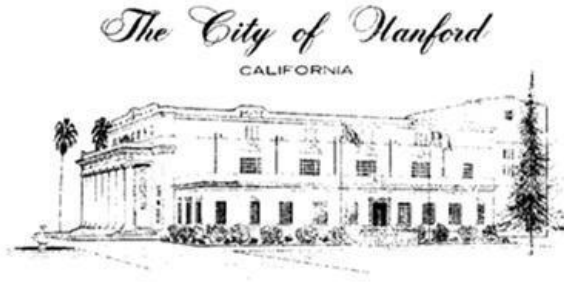
RECOMMENDATION:

Approve the minutes of the June 28, 2022 meeting.

FISCAL IMPACT:

ATTACHMENTS:

06-28-22



MINUTES
PLANNING COMMISSION
of the
CITY OF HANFORD

COUNCIL CHAMBERS
400 N. Douty St.
5:30 PM, Tuesday, June 28, 2022

Commissioners will meet in person in the Council Chambers. The meeting will also be livestreamed on the City's website: <http://livestream.hanford.city/>

CALL TO ORDER

Vice Chair PADEN called the meeting to order at 5:32 p.m.

ROLL CALL

Attendee Name	Title	Status	Arrived
Richard Douglas		Present	5:11 PM
Travis Paden		Present	5:12 PM
Martin Devine		Present	5:10 PM
Jacob Sanchez		Present	5:34 PM
Dennis Ham		Present	5:00 PM
Gunther Norris		Present	5:00 PM

Chair SANCHEZ arrived at 5:34 p.m.

INVOCATION

There was no invocation.

FLAG SALUTE

Commissioner DOUGLAS 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

Attachment: 06-28-22 (5-24-22 Minutes)

*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.*

There were no public comments.

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 September 14, 2021 Meeting

2. Approval of the Minutes of the April 26, 2022 Meeting

Commissioner DEVINE asked that Item 1 be pulled. He asked why the Commission was just now seeing minutes from so long ago. Senior Planner Myers replied that there was a considerable amount of audio and an unusually heavy workload for the Clerk.

Chair SANCHEZ called for a motion.

Motion to approve the Consent Calendar.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Martin Devine, Commissioner
SECONDER:	Richard Douglas
AYES:	Douglas, Paden, Devine, Sanchez
ABSTAN:	Ham

PUBLIC HEARING

3. Conditional Use Permit No. 2022-03, a request to establish an auto detailing business within a former pool and spa service and repair building in the MX-D Downtown Mixed Use zone district. The project is located at 208 E. Fourth St. (APN 012-093-010).

Chair SANCHEZ opened the Public Hearing and called for the staff report.

Assistant Planner Manha presented the staff report, recommended approval, and invited questions of staff.

Commissioner PADEN asked if this was the former location of Advanced Pools. Mr. Manha replied that he did not know.

Commissioner HAM asked why this project was started in December 2020 and just now coming before Planning Commission. Staff replied that the approved Site Plan Review was for retail use, and the applicants want to add auto detailing, which requires a Conditional Use Permit. Staff also addressed Commissioner HAM's questions regarding location of the grease trap, hazardous solvents, and parking.

Commissioner PADEN asked about drainage, and Senior Planner Myers stated that a drain is provided. He also asked about the sea-train. Ms. Myers replied that, because the sea-train was pre-existing, staff could not comment on it.

Chair SANCHEZ opened Public Comment:

FAVOR

Applicant Rudy Ramos stated that he formerly had a mobile detailing business, beginning at age 18, and he has worked hard to get to this point. He encouraged approval of the project.

OPPOSED

No one spoke in opposition.

Chair SANCHEZ closed Public Comment and invited Commissioner's questions.

Commissioner PADEN asked the applicant if they plan to install any signage. The applicant stated that he would.

Chair SANCHEZ closed Public Comment and called for a motion.

Motion to adopt Resolution No. 2022-19, approving Conditional Use Permit No. 2022-03.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dennis Ham
SECONDER:	Travis Paden
AYES:	Douglas, Paden, Devine, Ham, Sanchez

4. **Variance No. 2022-01: a request to deviate from the standards of the Hanford Municipal Code Section 17.14.130, in order to permit required parking spaces within the rear-yard setback for a 100-unit multi-family development. Addendum No. 1 for Mitigated Negative Declaration No. 2018-04: A request to certify Addendum No. 1 to the previously approved Mitigated Negative Declaration No. 2018-04, verifying the project will not have a significant effect on the environment with the incorporation of mitigation measures. The project is located north of Millennium Way and west of Centennial Drive (APN 011-020-043 and 011-020-044).**

Chair SANCHEZ opened the Public Hearing and called for the staff report.

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

Commissioner PADEN asked for clarification of the 15' setback to the 7' block wall, expressing his concern for the privacy of those in the Low-Density Residential zone behind that. Ms. Myers explained the setbacks. She added that the same developer is developing both properties, and there will be privacy. Commissioner PADEN asked when a project counts toward Regional Housing Needs Allocation (RHNA) and if this project contains any low- or very low-income housing. Ms. Myers replied that the applicants have not requested any density bonuses, and there is no state funding.

Chair SANCHEZ opened Public Comment. There being no comments, he then called for a motion.

Motion to certify Addendum No 1 for Mitigated Negative Declaration No. 2018-04.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Travis Paden
SECONDER:	Dennis Ham
AYES:	Douglas, Paden, Devine, Sanchez, Ham

Motion to adopt Resolution 2022-20, approving Variance 2022-01.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Richard Douglas
SECONDER:	Martin Devine, Commissioner
AYES:	Douglas, Paden, Devine, Sanchez, Ham

GENERAL BUSINESS

Finding of General Plan Consistency for the acquisition of real property located at 330 N Harris Street (APN 010-276-021), in accordance with Government Code Section 65402.

Senior Planner Myers presented the staff report, recommended a finding of consistency with the General Plan.

Chair SANCHEZ called for a motion.

Motion to find the acquisition of the property consistent with the General Plan, adopted April 24, 2017, in accordance with Government Code Section 65402.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Martin Devine, Commissioner
SECONDER:	Travis Paden
AYES:	Douglas, Paden, Devine, Sanchez, Ham

DIRECTOR'S COMMENTS

Senior Planner Myers welcomed Dennis Ham, as the new Planning Commissioner and Gunther (Chuck) Norris, as the Alternate Planning Commissioner.

COMMISSIONERS' ITEMS OF INTEREST

At this time, any Commissioner may ask a question for clarification of matters within the Planning Commission's jurisdiction, make an announcement, or report briefly on activities in their role as a Planning Commissioner. In addition, subject to the Planning Commissioner's Handbook, Commissioners may request staff to report back to the Planning Commission at a subsequent meeting concerning any matter within Commissioner's jurisdiction (GC 54954.2).

Commissioner PADEN inquired as to the possibility of having occasional meetings with City Council, to discuss certain upcoming State laws with which Planning Commission should be familiar. He also asked if there is in kind of business recruiting for the City. Senior Planner

Myers replied that since Redevelopment went away, staff has not been directed to do that. Direction would have to come from City Council, through the City Manager.

Commissioner HAM inquired about what kind of work was being done to the City well across from Square Eights. Ms. Myers replied that there will be a new City well.

ADJOURNMENT

Chair SANCHEZ adjourned the meeting at 6:11 p.m.

Respectfully submitted,

Diana Black
Recording Secretary



AGENDA STAFF REPORT

MEETING DATE: 7/12/2022	AGENDA SECTION: 3
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SUBJECT:

Variance No. 2022-04: A request to deviate from the standards of the Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for an irregular corner lot in the R-L-5 Low-Density Residential zone district from 10 feet to five feet and one inch. The project is located at 1304 S. Angus Court (APN 011-110-029). The subject site is lot 182 of Tract 865, which has not been assigned its own assessor's parcel number yet. The APN provided is for the parcel, overall, pre-subdivision.

See staff report, attached.

FISCAL IMPACT:

ATTACHMENTS:

Staff Report 1304 Angus Ct

Resolution 2022-21

Attachment 1 - FY22-2812

Attachment 2 - Live Oak Master Plan Low-Density Standards

Attachment 3 - Notice of Exemption

**CITY OF HANFORD PLANNING COMMISSION
STAFF REPORT
Tuesday, July 12, 2022**

PROJECT: **Variance No. 2022-04:** A request to deviate from the standards of the Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for an irregular corner lot in the R-L-5 Low-Density Residential zone district from 10 feet to five feet and one inch.

LOCATION: The project is located at 1304 S. Angus Court (APN 011-110-029). The subject site is lot 182 of Tract 865, which has not been assigned its own assessor's parcel number yet. The APN provided is for the parcel, overall, pre-subdivision.

PLANNER: Gabrielle Myers, Senior Planner

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

1. Adopt Resolution No. 2022-21, approving Variance No. 2022-04.

RECOMMENDED MOTION

1. I move to adopt Resolution No. 2022-21, approving Variance No. 2022-04.

PROJECT DESCRIPTION

The project is a request to deviate from the standards of the Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for a single-family home on an irregular corner lot in the R-L-5 Low-Density Residential zone district.

In accordance with Section 17.10.070 E, the side building setback area shall be ten feet from a street-side property line. In accordance with Section 17.10.070 F, where there is a landscape easement with a wall or fence on the street-side of the lot, the side yard setback area shall be measured from the easement area, instead of the side lot line.

The applicant submitted building permit FY22-2812 for the development of the subject site as a four-bedroom, two-story, single-family residence in Tract 865, Sterling Oaks. FY22-2812 is attached, **Attachment 1**.

The street-side setback area provided is insufficient. The required setback is 10 feet, measured from the property line. The provided setback is five feet and one inch.

Project Location

The project is located at 1304 S. Angus Court (Lot 182) in Tract 865, Sterling Oaks, which is a tract within the Live Oak Master Planned Community. Since Tract 865 was recently recorded, an individual assessor's parcel number (APN) has not been created for the subject parcel, yet. The subject lot is shown, highlighted in yellow, below.

Figure 1: Lot Location (shown in yellow)

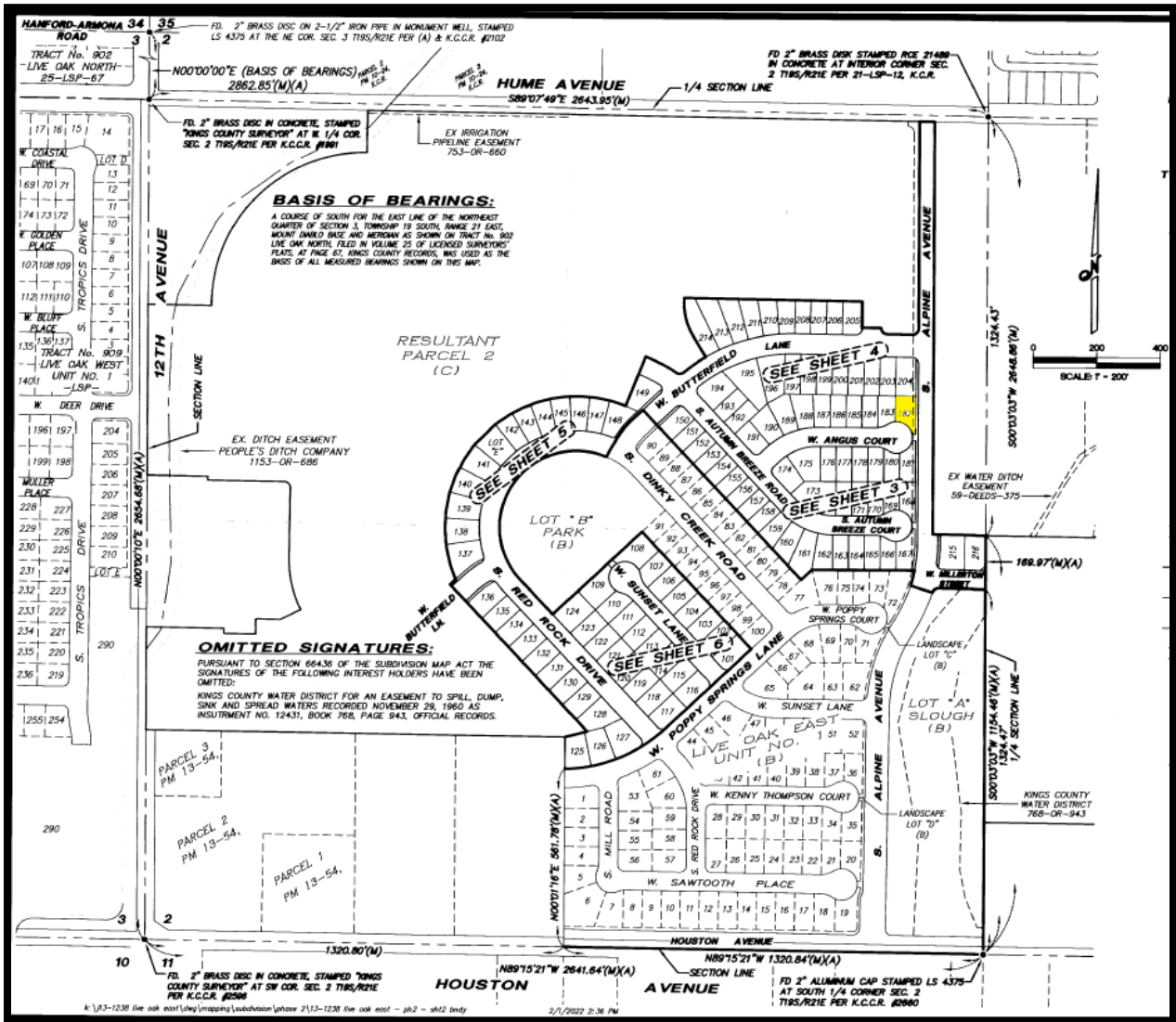
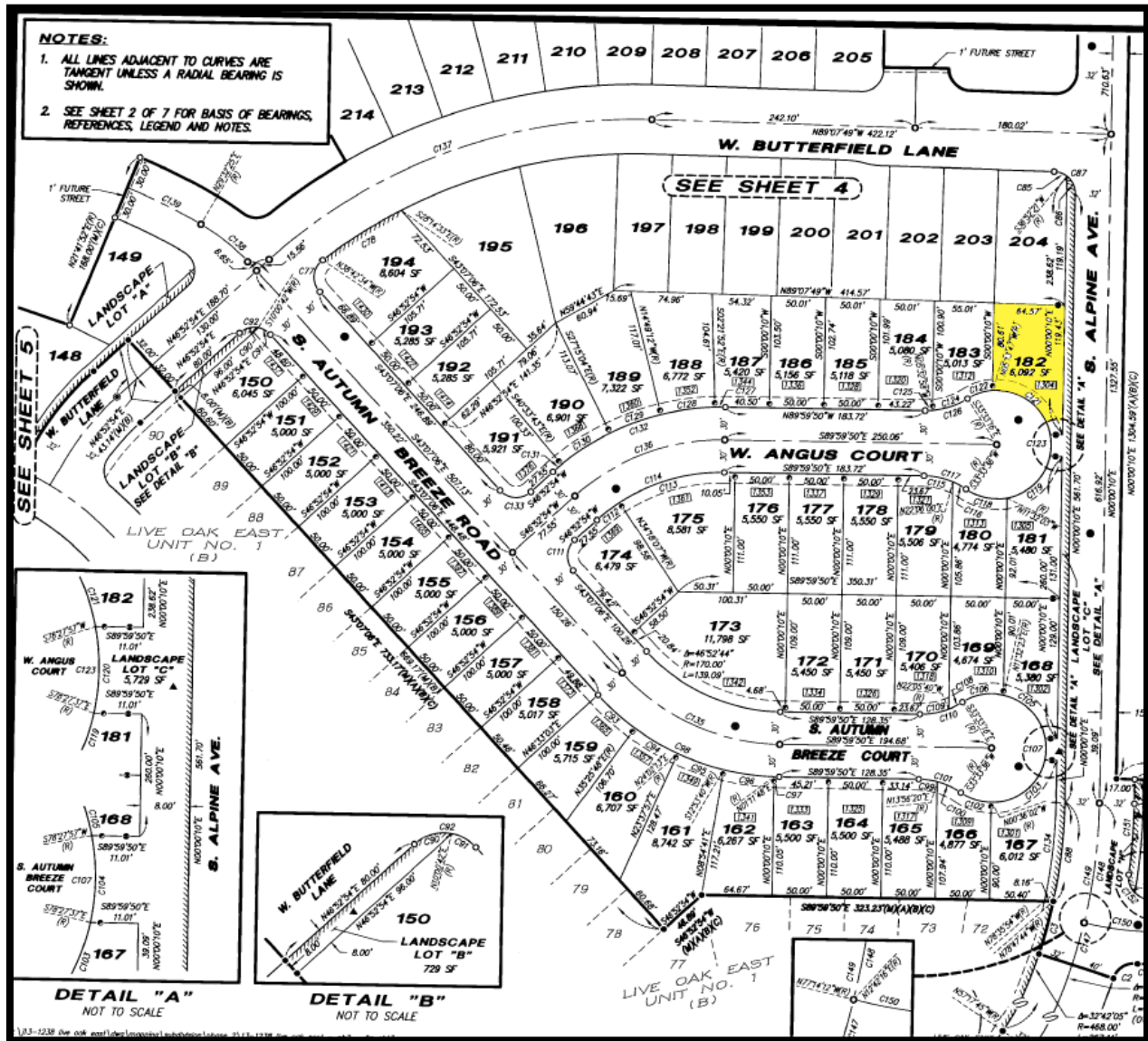


Figure 2: Lot Location (shown in yellow)



The General Plan designates the property as Low-Density Residential (see Figure 3, below). The property is zoned R-L-5 Low-Density Residential, which corresponds with the General Plan designation (see Figure 4, below).

Figure 3:
General Plan Designation (Property outlined in red)
Low-Density Residential

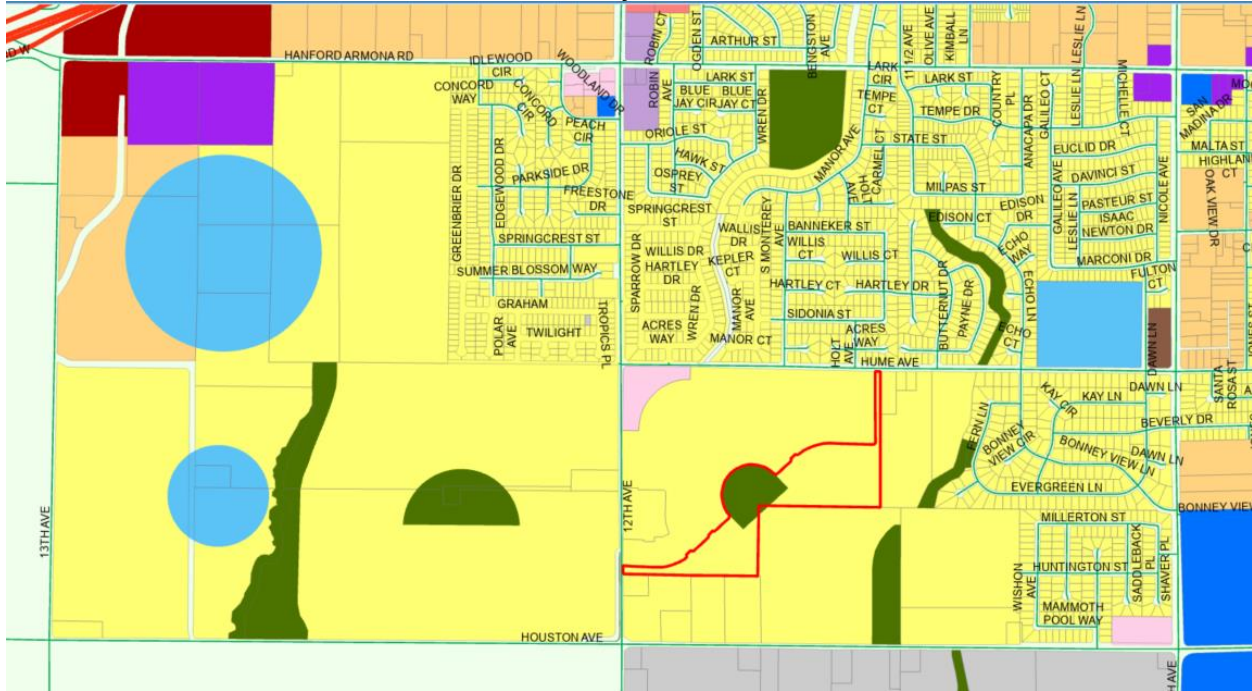
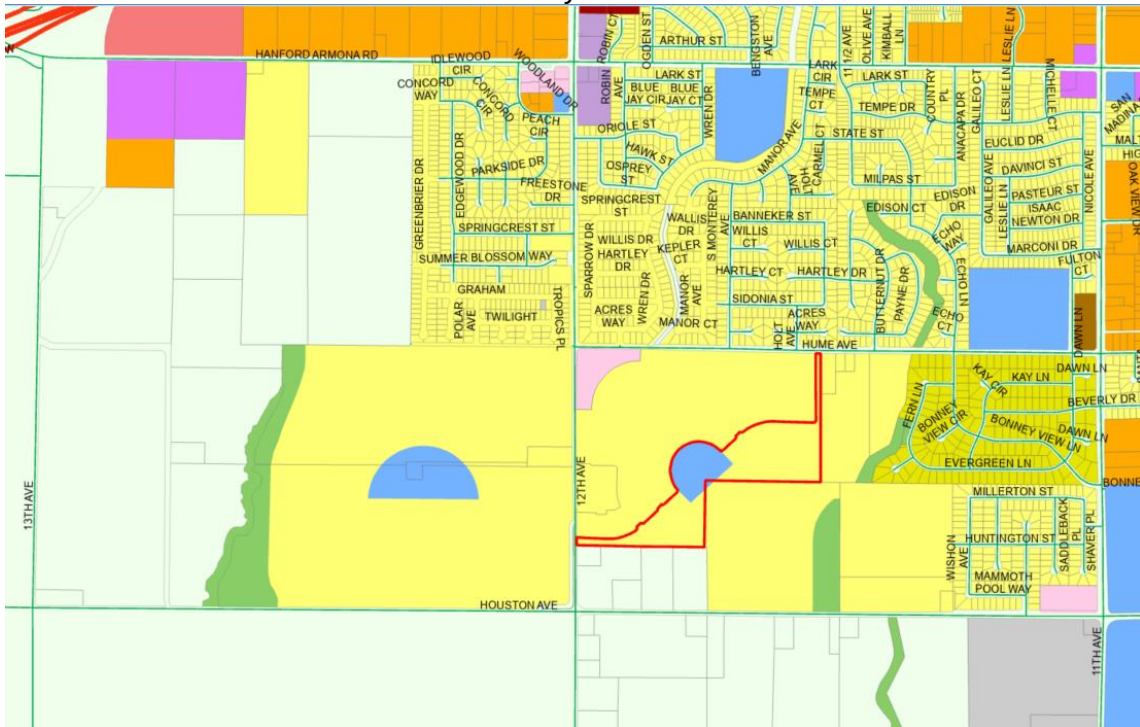


Figure 4:
Zoning Designation (Property outlined in red)
Low-Density Residential



Entitlement

The applicant submitted building permit FY22-2812 for development of the site as a single-family residence – **Attachment 1**. The subject site is a single-family residential lot within the Live Oak Master Planned Community, approved under Planned Unit Development No. 2005-04 and Tentative Tract 865.

The Live Oak Master Plan contains varying development standards (see **Attachment 2**); however, the Master Plan does not allow a deviation from the street-side setback. In accordance with the Master Plan, the street-side setback on a corner lot shall be 10 feet, consistent with the Hanford Municipal Code.

PROJECT EVALUATION

Compliance with Hanford Municipal Code and Live Oak Master Plan

Building Permit FY22-2812 was reviewed for conformance with the standards of the Live Oak Development Master Plan and the regulations set forth in Section 17.10 for the Low-Density Residential zone district, where the Master Plan was silent.

The Live Oak Master Plan was approved through Planned Unit Development No. 2005-04 and supersedes the regulations of the Hanford Municipal Code.

17.10.030 Lot Area

The minimum lot area in the R-L-5 Low-Density Residential zone district and in the Live Oak Master Plan shall be 5,000 square feet.

The subject property is 5,092 which satisfies the minimum lot area requirement for the R-L-5 Low-Density Residential zone district and the Live Oak Master Plan.

17.10.040 Lot Dimensions

In the R-L-5 Low Density Residential zone district, lot dimensions shall be as follows:

Lot frontage: 40 feet

Lot width: 50 feet for interior lots and 60 feet for corner lots

Lot depth: 90 feet

In accordance with the Live Oak Master Plan, lot dimensions shall be as follows:

Lot Frontage: 55 feet minimum (local streets)
40 feet minimum (radial streets)

Lot Width: 65 feet minimum for a corner lot (measured at front yard setback)
50 feet minimum for a radial lot (measured at front yard setback)

Depth: 90 feet

The lot's radial frontage is 73.04 feet. The lot's width is 73.04 feet, measured at the front setback. The lot's depth is 100.02 feet. The lot satisfies the standards for the R-L-5 Low-Density Residential zone district and the Live Oak Master Plan.

17.10.050 Dwelling Units Per Lot

Dwelling units per lot are not addressed in the Live Oak Master Plan, therefore, the regulations of the R-L-5 Low-Density Residential zone district would apply. In the R-L-5 Low-Density Residential zone district, not more than one dwelling unit shall be allowed on each lot, unless approved as an accessory use to an allowed or approved conditional use, or approved as an accessory dwelling unit in accordance with Section [17.60.030](#).

The applicant proposes one single-family residential unit for the project site.

17.10.060 Coverage

Coverage is not limited in the Live Oak Master Plan; therefore, the regulations of the R-L-5 Low-Density Residential zone district would apply. The maximum coverage of the lot shall be determined by the combined building setback area requirements, open space requirements, and off-street parking and loading requirements. All required building setbacks, landscaping, off-street parking and loading requirements were evaluated and mandated as part of the building permit review process. A deviation from the required street-side setback is requested and can be supported, as demonstrated in the findings below.

17.10.070 Building Setback Area

In the R-L-5 Low Density Residential zone district, building setbacks shall be as follows:

Front Yard:	Livable	15 feet
	Garage	20 feet
Rear Yard:	One-Story	15 feet; 20 feet where there is a landscape easement
	Two-Story	25 feet; 30 feet where there is a landscape easement
Side Yard:	Interior	5 feet
	Street-Side	10 feet*

**Where there is a landscape easement with a wall or fence on the street-side of the lot, the side yard setback area shall be measured from the easement area instead of the side lot line.*

In this case, the property line is coterminous with the inside of the landscape lot.

In accordance with the Live Oak Master Plan, building setbacks shall be as follows:

Front Yard:	Porch	10 feet
	Livable	15 feet
	Garage	20 feet
Rear Yard:	One-Story	15 feet

	Multi-Story	5 feet additional per story
Side Yard:	Interior	5 feet
	Street-Side	10 feet
	Garage	20 feet (side entry)
	Porch	10 feet

Front-Yard Setback:

The proposed residence's garage is setback 27 feet and five inches from the front property line. The livable space is setback approximately 20 feet and two inches from the closest point of the residence to the front property line. This satisfies the required front-yard setback for the garage and livable space of the Live Oak Master Plan and R-L-5 Low-Density Residential standards.

Rear-Yard Setback:

The proposed residence is setback 20 feet from the rear property line. The two-story structure does not satisfy the 25-foot required setback for the Hanford Municipal Code, however reduced setbacks in the Live Oak Master Plan have been allowed through Planned Unit Development 2005-04. The two-story structure setback satisfies the 20-foot rear-yard setback permitted through the Live Oak Development Master Plan.

Interior Side-Yard Setback:

The proposed residence is setback 19 feet and six inches from the interior side-yard property line. This satisfies the required interior side-yard setback of the Live Oak Master Plan and R-L-5 Low-Density Residential standards.

Street-Side Side-Yard Setback:

Per the requirements of the Live Oak Master Plan and the R-L-5 Low-Density Residential zone district, a 10 foot-side-yard setback shall be provided on the street-side property line. The applicant provides a five-foot-one-inch side-yard setback along the property line adjoining Alpine Avenue. The applicant seeks a variance to the street-side setback area for the lot line adjoining Alpine Avenue. Staff is able to support the variance request, as demonstrated in the variance findings, below.

17.10.080 Distances Between Structures

Per the requirements of the Live Oak Master Plan and the R-L-5 Low-Density Residential zone district, the minimum distance between structures shall be 10 feet, except as provided by the building code. There is only one structure proposed on site. Future structures would be required to meet the provided separation requirements.

17.10.090 Height of Structures

Per the requirements of the Live Oak Master Plan, the maximum building height, measured from finished floor elevation, shall be as follows:

Primary Unit:	35 feet
Accessory Structure:	25 feet

Accessory structure with a Residential Unit: 30 feet

In the R-L-5 Low-Density Residential zone district, the maximum height of structures is 35 feet.

The proposed two-story residence is 17 feet and six and three quarter inches (17' 6 ¾"), measured from the grade to horizontal plate line height of the entry way, which does not exceed the required height of the Live Oak Master Plan or R-L-5 Low-Density Residential zone district.

17.10.100 Driveways

The width of a driveway and any paved area in the R-L-5 Low- Density Residential zone district shall not cumulatively exceed 40% of the width of the lot's street frontage on which the driveway and any paved area faces. On corner lots, the driveway shall be located on the side of the lot adjacent to the interior lot.

The driveway is 16-feet and 10 inches wide and is approximately 27% of the width of the lot's street frontage. Therefore, the proposed driveway does not exceed the required driveway standards of the R-L-5 Low-Density residential zone district. Driveway standards are not addressed in the Live Oak Master Plan.

17.10.130 Off-Street Parking

In the R-L-5 Low-Density Residential zone district, single-family dwellings shall provide a minimum of one covered and one uncovered parking space. Other uses shall provide parking as prescribed in Chapter [17.54](#).

According to the Live Oak Master Plan, two parking spaces shall be provided per unit. Spaces are required to be covered and provided within a garage or carport.

The applicant provides a two-car garage for the proposed residence.

17.10.140 Usable Open Space

In the R-L-5 Low-Density Residential zone district, each lot shall provide for a usable open space area of a minimum four hundred (400) square feet that is a minimum fifteen (15) feet wide.

Open space requirements are not addressed in the Live Oak Master Plan.

The applicant provides a 20-feet-by-64.5-feet (1,290 square feet) open space area in the backyard, which satisfied the requirement of the R-L-5 Low-Density Residential zone district.

17.10.150 Landscaping

In the R-L-5 Low-Density Residential zone district, except for driveways and approved parking areas, all yard areas and setback areas visible from the street(s) shall be landscaped with live plant materials and ornamentation common to the Hanford area, or up to 100% of the yard and setback area may be landscaped with artificial turf and other permeable surfaces. Required landscaping is to be installed within six (6) months after occupancy of the residence and continually maintained.

In accordance with the Live Oak Master Plan, 30% of the lot shall be landscaped. The applicant has submitted landscape plans for the Sterling Oaks subdivision consistent with the requirements of the Live Oak Master Plan.

All requirements of the R-L-5 Low-Density Density Residential zone district and the Live Oak Master Plan are satisfied, with the exception of the street-side side-yard setback requirement, for which a variance is sought.

Reasons for Setbacks

The City requires setbacks between for several reasons:

Safety:

Maintaining setbacks between buildings and uses is important for safety reasons. Having adequate setbacks between structures and uses provides access for the Fire Department to reach fires, in cases of emergency. In this case, the variance is applicable to the street-side side-yard setback area. There is not a concern regarding the separation of uses for Fire Department access.

The residential structure will be setback 13 feet and one inch from the sidewalk abutting Alpine Avenue, the setback is a combination of the five-foot one-inch setback and an eight-foot landscape lot.

Noise:

Setbacks also are in place to reduce noise impacts. The setback reduction pertains to the street-side lot line, which will not create noise issues. All noise generated from the property would be required to meet the Noise Emission standards prescribed by the General Plan.

Preventing Crowding:

Another reason setbacks are required by the City is to reduce crowding and provide separation between uses and structures.

The reduction of the street-side side-yard setback will not create a crowding issue, since it will not affect the distance between the proposed residential structure and any other nearby structure. Additionally, a block wall will be provided between the residence and the public street, further separating uses.

There is an eight-foot landscape lot with a block wall along the street-side side-yard lot line on Alpine Avenue. The block wall and landscape lot will serve to provide significant distance between the residence and the public right-of-way.

Providing Open Space Areas:

Within the City of Hanford, there are requirements for open space – this is generally accommodated in the required setback area. The applicant provides an adequate open-space area in the rear property, which totals 1,290 square feet, which far exceeds the required 400-square-foot open-space requirement for the R-L-5 Low-Density Residential zone district.

Allowing the variance will not have impacts to safety, noise, the prevention of crowding, or providing open space areas.

In accordance with Section 17.84.010, the purpose of a variance is to allow deviations from the development standard 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 granting of Variance No. 2022-04 would be consistent with the purpose of the variance process, as the special circumstance applicable to the property pertains to the configuration of the corner lot. Although the has street frontage on two streets, Angus Court and Alpine Avenue, the site is only accessible through the Angus Court frontage, since there is a block wall and landscape lot along the Alpine Avenue frontage. The limited frontage from one side is similar to an interior lot, for which there is only a five-foot setback.

Two variances were previously approved by the Planning Commission for the same request in the Live Oak subdivision Tract 865 on October 26, 2021 – Variance 2021-05 and 2021-06.

FINDINGS FOR APPROVAL

Variance No. 2022-04

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 circumstances applicable to the property pertains to the configuration of the corner lot. Although the has street frontage on two streets, Angus Court and Alpine Avenue, the site is only accessible through the Angus Court frontage, since there is a block wall and landscape easement along the Alpine Avenue frontage. The limited frontage from one side is similar to an interior lot, for which there is only a five-foot setback.

Additionally, previous variances 2021-05 and 2021-06 were approved in the same subdivision for the same request.

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 the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the vicinity in the same zone district. Although the property has frontage on two public streets, since the property only has access through one frontage, Angus Court, the lot is similar to an interior lot. Interior lots are only required to provide a five-foot setback, versus corner lots, which require a 10-foot street-side setback.

Additionally, previous variances 2021-05 and 2021-06 were approved in the same subdivision for the same request.

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 allowing the reduced street-side side-yard setback will not create a safety hazard. The residential structure will be setback 13 feet and one inch from the sidewalk adjoining Alpine Avenue, the setback is a combination of an eight-foot landscape easement and a five-foot-one-inch setback. The various departments reviewed the proposal and conditioned the project, accordingly.

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 typical R-L-5 Low-Density Residential lots do not share the configuration unique to this lot. Although the property has street frontage on two public streets, since the property only has access through one frontage, Angus Court, the lot is similar to an interior lot. Interior lots are only required to provide a five-foot setback, versus corner lots, which require a 10-foot street-side setback. Since the property is not accessible through the Alpine Avenue frontage, the street-side side-yard setbacks are not necessary.

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 the variance applies to the street-side side-yard setback area for a single-family residence. The use of a single-family residence is a permitted use in the R-L-5 Low-Density Residential 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 the property pertains to the configuration of the lot. Although the property has street frontage on two streets, Angus Court and Alpine Avenue, the site is only accessible through the Angus Court frontage, since there is a block wall and landscape easement along the Alpine Avenue frontage. The limited frontage from one side is similar to an interior lot, for which there is only a five-foot setback.

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, Residential Land Use Designations Goal L8, which aims to provide a range of residential building types suitable for a variety of lifestyles, ages, affordability levels, and design options.

PUBLIC COMMENTS

A Notice of Public Hearing for the project was noticed in the local newspaper on July 1, 2022 and mailed to property owners within 300 feet of the project site on June 30, 2022. 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 15303, New Construction or Conversion of Small Structures 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**.

RECOMMENDATION

Staff recommends that the Planning Commission:

1. Adopt Resolution No. 2022-21, approving Variance No. 2022-04.

Applicant/Owner:

San Joaquin Valley Homes
5607 Avenida de los Robles
Visalia, CA 93291

RESOLUTION NO. 2022-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HANFORD APPROVING VARIANCE NO. 2022-04, A REQUEST TO DEVIATE FROM THE STANDARDS OF THE HANFORD MUNICIPAL CODE SECTION 17.10.070 E, IN ORDER TO REDUCE THE STREET-SIDE SETBACK FOR AN IRREGULAR CORNER LOT IN THE R-L-5 LOW-DENSITY RESIDENTIAL ZONE DISTRICT. THE PROJECT IS LOCATED AT 1304 S. ANGUS COURT (APN 011-110-029). THE SUBJECT SITE IS LOT 182 OF TRACT 865, WHICH HAS NOT BEEN ASSIGNED ITS OWN ASSESSOR'S PARCEL NUMBER YET.

At a regular meeting of the City of Hanford Planning Commission duly called and held on July 12, 2022 on motion of Commissioner _____, seconded by Commissioner _____, and duly carried, the following resolution was adopted:

WHEREAS, Variance No. 2022-04, a request to deviate from the standards of the Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for an irregular corner lot in the R-L-5 Low-Density Residential zone district, as shown in **Exhibit A**, has been reviewed by the Planning Commission of the City of Hanford in accordance with Title 17.84 of the Hanford Municipal Code; and

WHEREAS, the project is located at 1304 S. Angus Court (APN 011-110-029). The subject site is lot 182 of Tract 865, which has not been assigned its own assessor's parcel number yet; and

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

WHEREAS, the project is exempt from environmental review, per Section 15303 New Construction and Conversion of Small Structures 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 17.84.050 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 circumstances applicable to the property pertains to the configuration of the corner lot. Although the has street frontage on two streets, Angus Court and Alpine Avenue, the site is only accessible through the Angus Court frontage, since there is a block wall and landscape easement along the Alpine Avenue frontage. The limited frontage from one side is similar to an interior lot, for which there is only a five-foot setback.

Additionally, previous variances 2021-05 and 2021-06 were approved in the same subdivision for the same request.

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 the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the vicinity in the same zone district. Although the property has frontage on two public streets, since the property only has access through one frontage, Angus Court, the lot is similar to an interior lot. Interior lots are only required to provide a five-foot setback, versus corner lots, which require a 10-foot street-side setback.

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 allowing the reduced street-side side-yard setback will not create a safety hazard. The residential structure will be setback 13 feet from the sidewalk adjoining Alpine Avenue, the setback is a combination of an eight-foot landscape easement and a five-foot-one-inch setback. The various departments reviewed the proposal and conditioned the project, accordingly.

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 typical R-L-5 Low-Density Residential lots do not share the configuration unique to this lot. Although the property has street frontage on two public streets, since the property only has access through one frontage, Angus Court, the lot is similar to an interior lot. Interior lots are only required to provide a five-foot setback, versus corner lots, which require a 10-foot street-side setback. Since the property is not accessible through the Alpine Avenue frontage, the street-side side-yard setbacks are not necessary.

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 the variance applies to the street-side side-yard setback area for a single-family residence. The use of a single-family residence is a permitted use in the R-L-5 Low-Density Residential 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 the property pertains to the configuration of the lot. Although the property has street frontage on two streets, Angus Court and Alpine Avenue, the site is only accessible through the Angus Court frontage, since there is a block wall and landscape easement along the Alpine Avenue frontage. The limited frontage from one side is similar to an interior lot, for which there is only a five-foot setback.

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, Residential Land Use Designations Goal L8, which aims to provide a range of residential building types suitable for a variety of lifestyles, ages, affordability levels, and design options.

THEREFORE, BE IT RESOLVED that Variance No. 2022-04 be approved, subject to the conditions of approval, below:

1. That the subject site be developed, as shown in Exhibit A – FY22-2812.
2. That all development shall conform to the standards of the Hanford Municipal Code, except where modified by the Live Oak Master Plan Design Standards and this resolution.

EXPIRATION

That this Variance 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, **Mary E. Beatie**, Interim 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 12th day of July 2022.

Mary E. Beatie, Interim Secretary

Exhibit A
FY22-2812

Attachment: Resolution 2022-21 (Variance 2022-04 1304 S Angus Ct)



San Joaquin Valley
HOMES

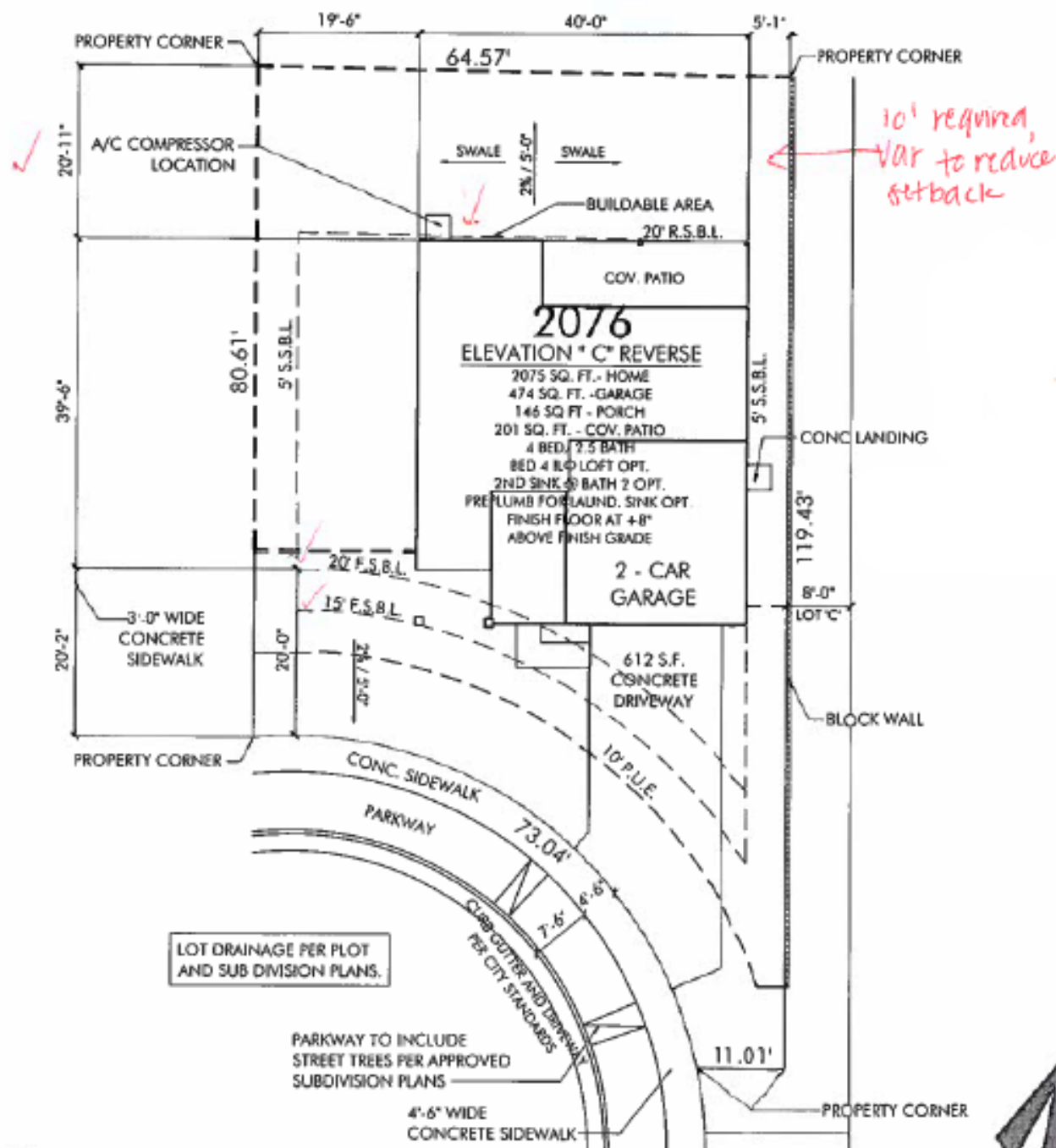
5607 AVE DE LOS ROBLES
YTSALIA, CA 93291
Voice 559-732-2660

LANDSCAPING REQUIREMENTS:

1. 6 CUBIC YARDS 3" THICK LAYER OF LANDSCAPE MULCH
2. 25% WITH MAXIMUM 500 SQ. FT. WARM SEASON BERMUDA GRASS TURF

I AGREE TO COMPLY WITH THE MWEL0 PRESCRIPTIVE COMPLIANCE OPTION

- 2079 SF FRONT YARD LANDSCAPE - TURF NOT TO EXCEED 520 SF
- 632 SF FRONT YARD HARDSCAPE



SITE PLAN

ADDRESS: 1304 W. ANGUS CT.
APN:



NORTH
1" = 20'

LOT: 182

HIDDEN OAKS TRACT NO. 865

HANFORD

ALL DIMENSIONS SHOWN ARE WITHIN +/- 3%

BUYERS SIGNATURE

FY22-2012

APPROVAL DATE 20 6/02/2022



San Joaquin Valley
HOMES

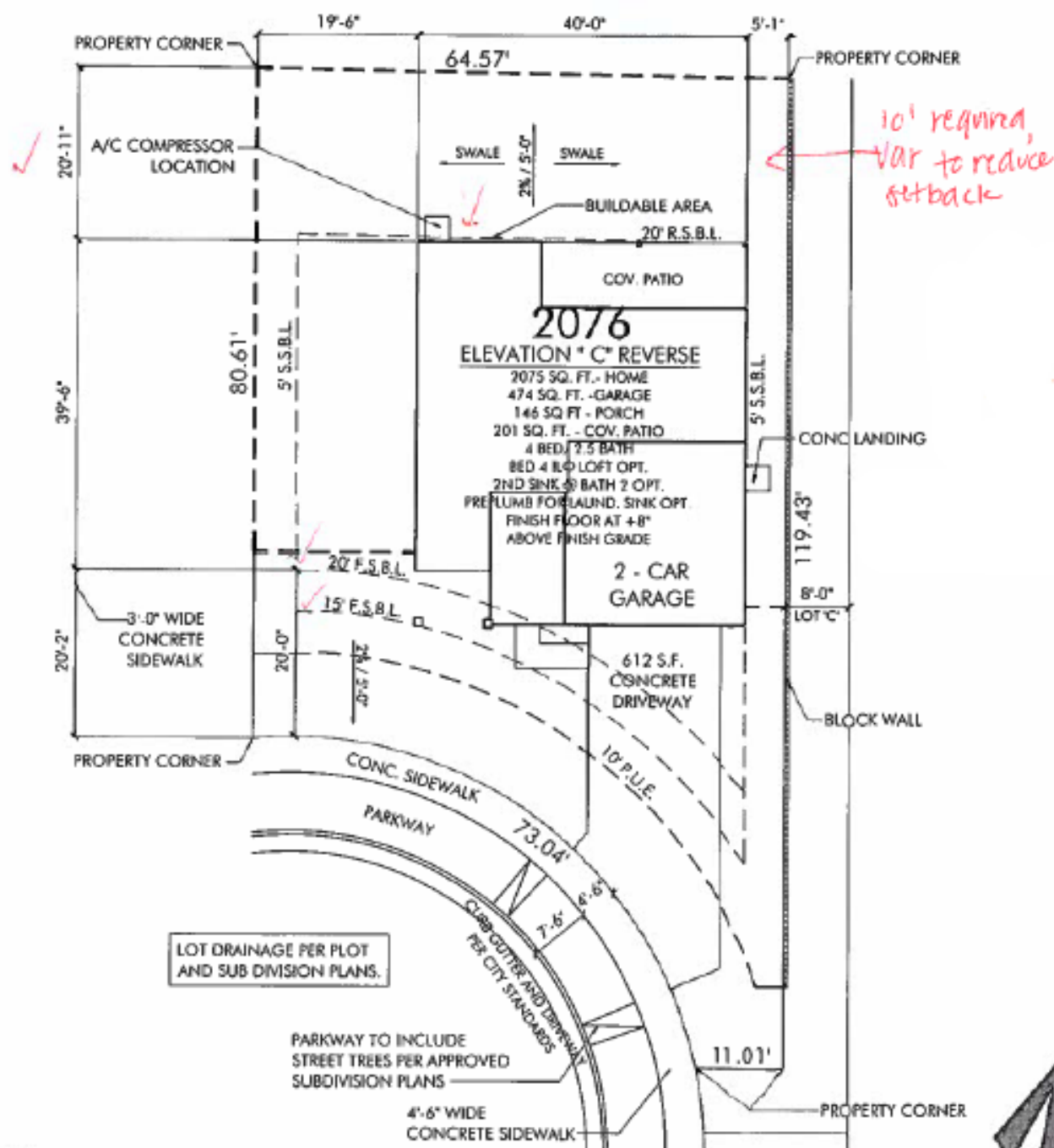
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APN:



NORTH
1" = 20'

LOT: 182

HIDDEN OAKS TRACT NO. 865

HANFORD

ALL DIMENSIONS SHOWN ARE WITHIN +/- 3%

BUYERS SIGNATURE

FY22-2812

APPROVAL DATE 20 6/02/2022

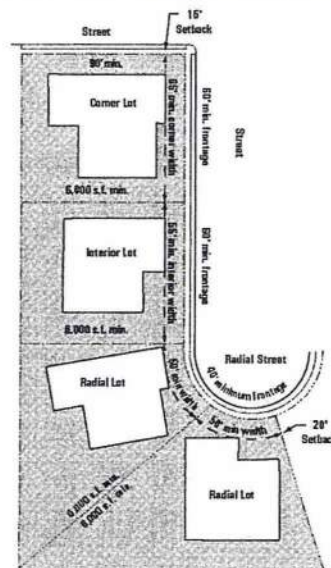
Chapter 3

Table 3.3 Low Density Residential (LD) Standards

Land Use	Low Density Residential
Base Zone District	R-1-6 R-L-5
Density Range	3-9 Dwelling units/gross acre 2-10 Dwelling units/gross acre
Permitted Use	HMC Section 17-18-020 17.10
Administrative Approval	HMC Section 17-18-030 17.10
Conditional Uses	HMC Section 17-18-040 17.10

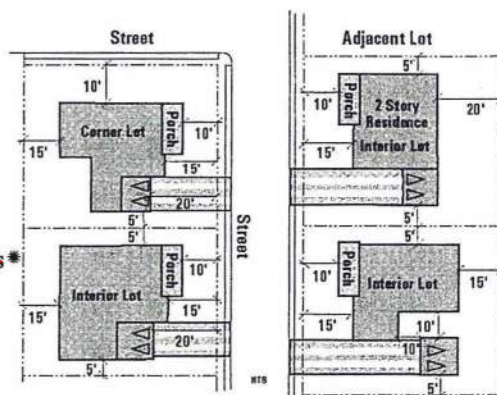
Lot Configuration

Lot Area	5,000 6,000 square feet minimum
Width	
Interior Lot	55 feet minimum (Measured at front yard setback)
Corner Lot	65 feet minimum (Measured at front yard setback)
Radial Lot	50 feet minimum (Measured at front yard setback)
Depth	90 feet minimum
Frontage	55 feet minimum (local streets) (Measure at the edge of ROW) 40 feet minimum (radial streets) (Measure at the edge of ROW)
Lot Coverage	40% maximum
Landscaping	30% of lot minimum



Setbacks

Front Yard	
Covered Porch	10 feet minimum
Living Space	15 feet minimum
Garage	20 feet minimum
Side Yard	
Interior	5 feet minimum
Corner (Street Side)	10 feet minimum
Corner (Street Side)	15 feet minimum at collector streets *
Garage (Side Entry)	20 feet minimum
Covered Porch	10 feet minimum
Rear Yard (one-story)	15 feet minimum
Multi-Story	5 feet additional per story



Accessory Structures 5 feet from rear or side property line
(When located in the rear yard)

Distance Between Buildings 10 feet minimum, or allowed per the Building Code

* Collector Streets are as defined by City of Hanford Municipal Code

Public Review Draft

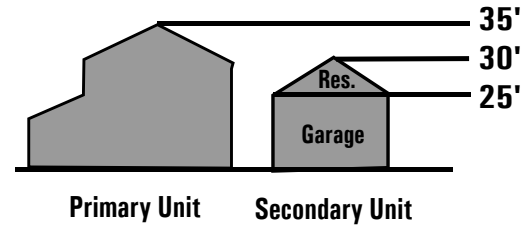
LIVE OAK
master plan

Land Use & Neighborhood Design

Building Heights

Primary Unit
Accessory Structure
With Res. Unit

Measured from finished floor elevation
35 feet maximum
25 feet maximum
30 feet maximum



Off Street Parking

Parking Requirement 2 spaces/unit minimum (4 spaces/unit if no street driveway access)
(Minimum two covered spaces within a garage or carport)

Garages

Refer also to Section 3.3.6

~~Coverage 50% maximum of first floor front elevation~~

Front Loaded Garage

Front Yard Setback 20 feet minimum
Corner Side Yard Setback 20 feet minimum

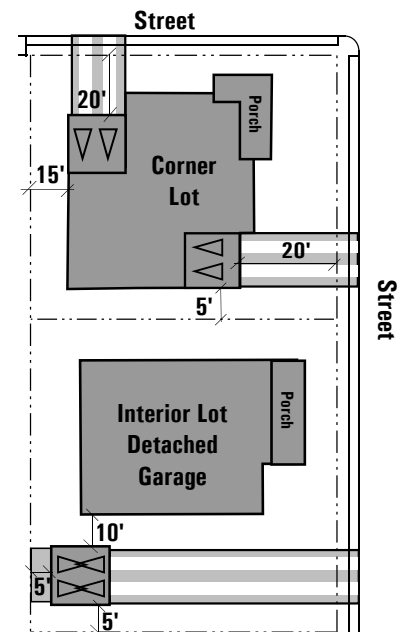
Detached Garage

Side Yard (Interior) 5 feet minimum
Side Yard (Street side) 20 feet minimum

Rear Yard

5 feet minimum
(setback a min. of 15' from alley centerline)

Note: When alley is available, no front loaded garage is allowed. (Refer to Residential policy F. and Garage Design Guidelines E.)



Porches

Refer also to Section 3.3.7

Requirement

60% of all units

Fencing and Walls

Refer also to Section 3.3.8

Within Setbacks

Front and Side Yard

3 feet maximum height (Must be 5' minimum behind property line and a minimum of 50% transparent)

7* feet maximum height

Rear and Side Yard

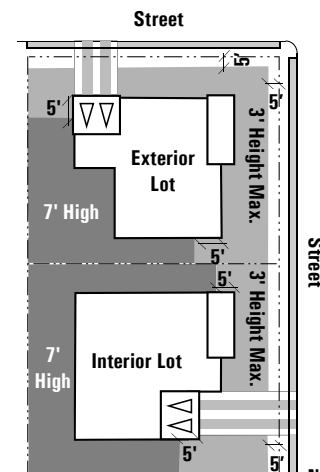
(Along rear and side property line when setback a minimum of 5' behind leading edge of house)

7* feet maximum height

Along Alley

(Along rear property, setback 3 feet minimum from alley Right of Way.

*As per city standards.



Notice of Exemption 2022-59

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 No. 2022-04

Project Location – The project is located at 1304 S. Angus Court. (APN 011-110-029). The subject site is lot 181 of Tract 865, which has not been assigned its own assessor's parcel number yet. The APN provided is for the parcel, overall, pre-subdivision.

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

Description of Nature, Purpose and Beneficiaries of Project: **Variance No. 2021-06**, a request to deviate from the standards of the Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for an irregular corner lot in the R-L-5 Low-Density Residential zone district.

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

Name of Person or Agency Carrying Out Project: San Joaquin Valley Homes

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 New Construction and Conversion of Small Structures
☐ 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 15303 New Construction or Conversion of Small Structures of California Environmental Quality Act (CEQA) guidelines, the project is categorically exempt from future environmental review. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The proposed project will not result in cumulative impacts of successive projects of the same type in the same place, is not located within or near a scenic highway, road, or corridor, is not located on a hazardous waste site, and does not involve any change to a historical resource.

Lead Agency Contact Person: Gabrielle Myers Area Code/ Telephone: (559) 585-2578

Signature: _____ Date: July 12, 2022 Title: Senior Planner

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

Attachment 3 - Notice of Exemption (Variance 2022-04 1304 S Angus Ct)



AGENDA STAFF REPORT

MEETING DATE: 7/12/2022	AGENDA SECTION: 4
--------------------------------	--------------------------

SUBJECT:

Variance No. 2022-06: A request to deviate from the standards of the Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for an irregular corner lot in the R-L-5 Low-Density Residential zone district from 10 feet to five feet. The project is located at 1305 S. Angus Court (APN 011-110-029). The subject site is lot 181 of Tract 865, which has not been assigned its own assessor's parcel number yet. The APN provided is for the parcel, overall, pre-subdivision.

See staff report, attached.

FISCAL IMPACT:

ATTACHMENTS:

Staff Report - 1305 Angus Ct

Resolution 2022-22

Attachment 1 - FY22-2451

Attachment 2 - Live Oak Master Plan Low-Density Standards

Attachment 3 - Notice of Exemption

**CITY OF HANFORD PLANNING COMMISSION
STAFF REPORT
Tuesday, July 12, 2022**

PROJECT: **Variance No. 2022-06:** A request to deviate from the standards of the Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for an irregular corner lot in the R-L-5 Low-Density Residential zone district from 10 feet to five feet.

LOCATION: The project is located at 1305 S. Angus Court (APN 011-110-029). The subject site is lot 181 of Tract 865, which has not been assigned its own assessor's parcel number yet. The APN provided is for the parcel, overall, pre-subdivision.

PLANNER: Gabrielle Myers, Senior Planner

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

1. Adopt Resolution No. 2022-22, approving Variance No. 2022-06.

RECOMMENDED MOTION

1. I move to adopt Resolution No. 2022-22, approving Variance No. 2022-06.

PROJECT DESCRIPTION

The project is a request to deviate from the standards of the Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for a single-family home on an irregular corner lot in the R-L-5 Low-Density Residential zone district.

In accordance with Section 17.10.070 E, the side building setback area shall be ten feet from a street-side property line. In accordance with Section 17.10.070 F, where there is a landscape easement with a wall or fence on the street-side of the lot, the side yard setback area shall be measured from the easement area, instead of the side lot line.

The applicant submitted building permit FY22-2812 for the development of the subject site as a three-bedroom, one-story, single-family residence in Tract 865, Sterling Oaks. FY22-2451 is attached, **Attachment 1**.

The street-side setback area provided is insufficient. The required setback is 10 feet, measured from the property line. The provided setback is five feet.

Project Location

The project is located at 1305 S. Angus Court (Lot 181) in Tract 865, Sterling Oaks, which is a tract within the Live Oak Master Planned Community. Since Tract 865 was recently recorded, an individual assessor's parcel number (APN) has not been created for the subject parcel, yet. The subject lot is shown, highlighted in yellow, below.

Figure 1: Lot Location (shown in yellow)

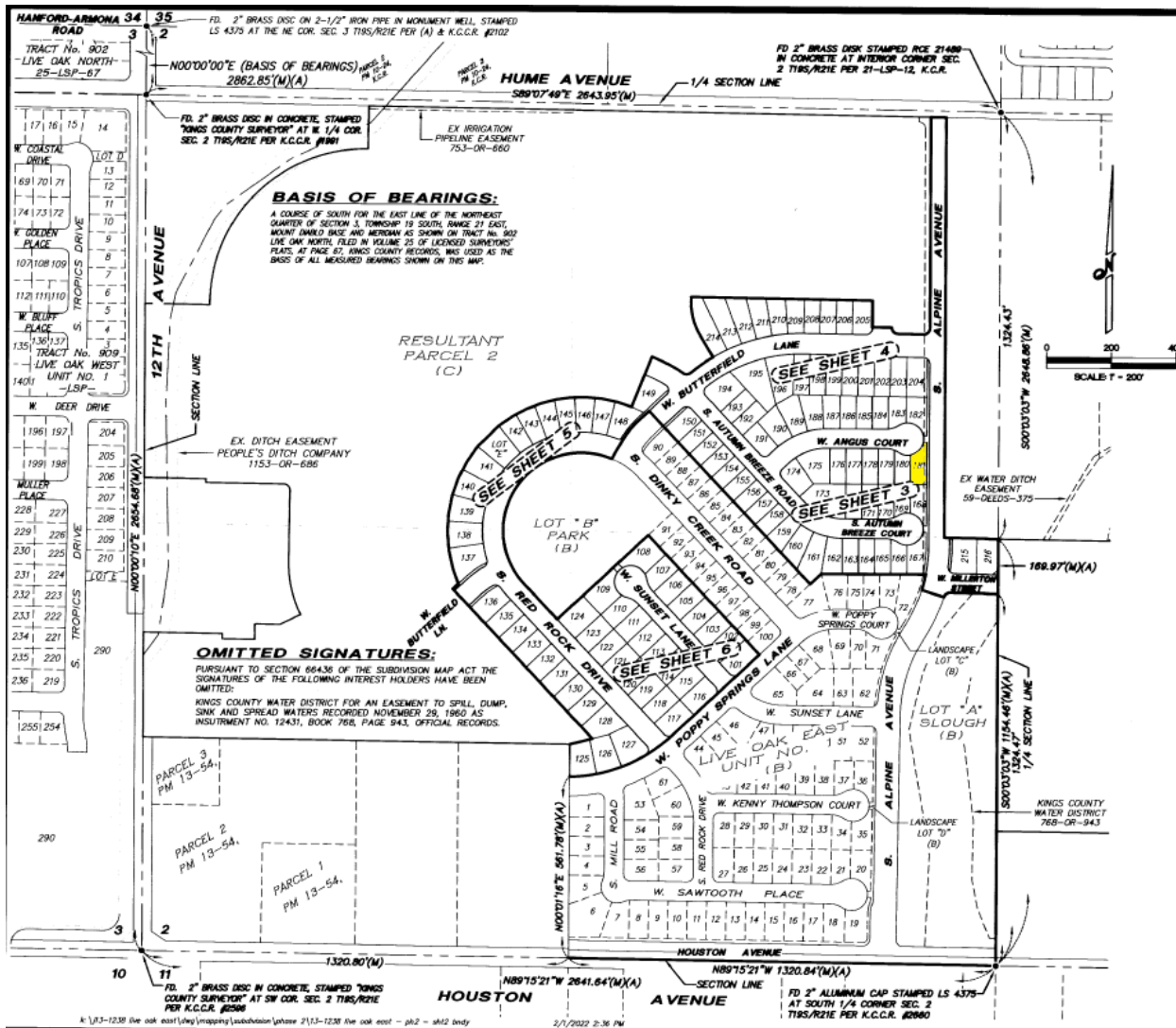
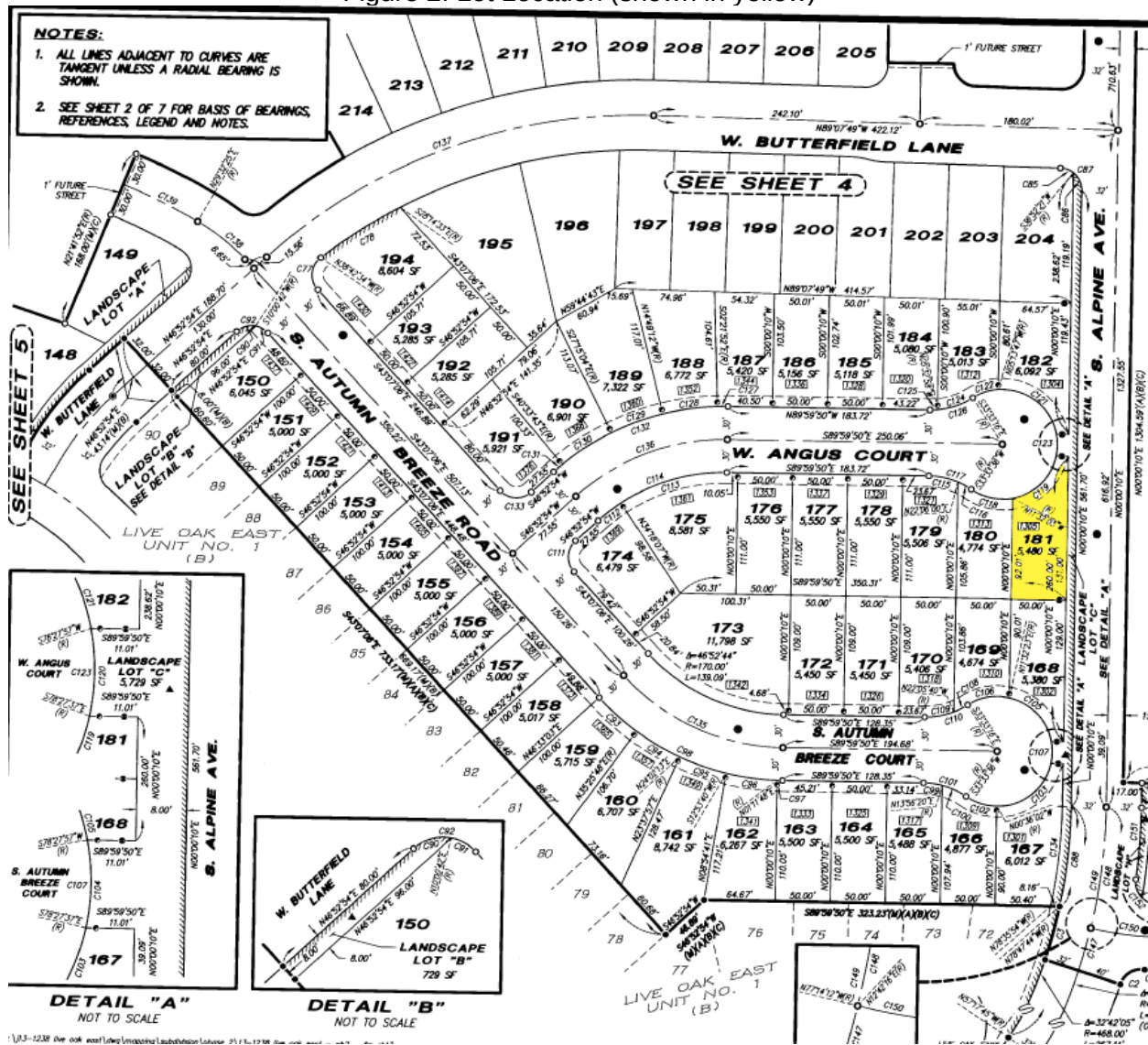


Figure 2: Lot Location (shown in yellow)



The General Plan designates the property as Low-Density Residential (see Figure 3, below). The property is zoned R-L-5 Low-Density Residential, which corresponds with the General Plan designation (see Figure 4, below).

Figure 3:
General Plan Designation (Property outlined in red)
Low-Density Residential

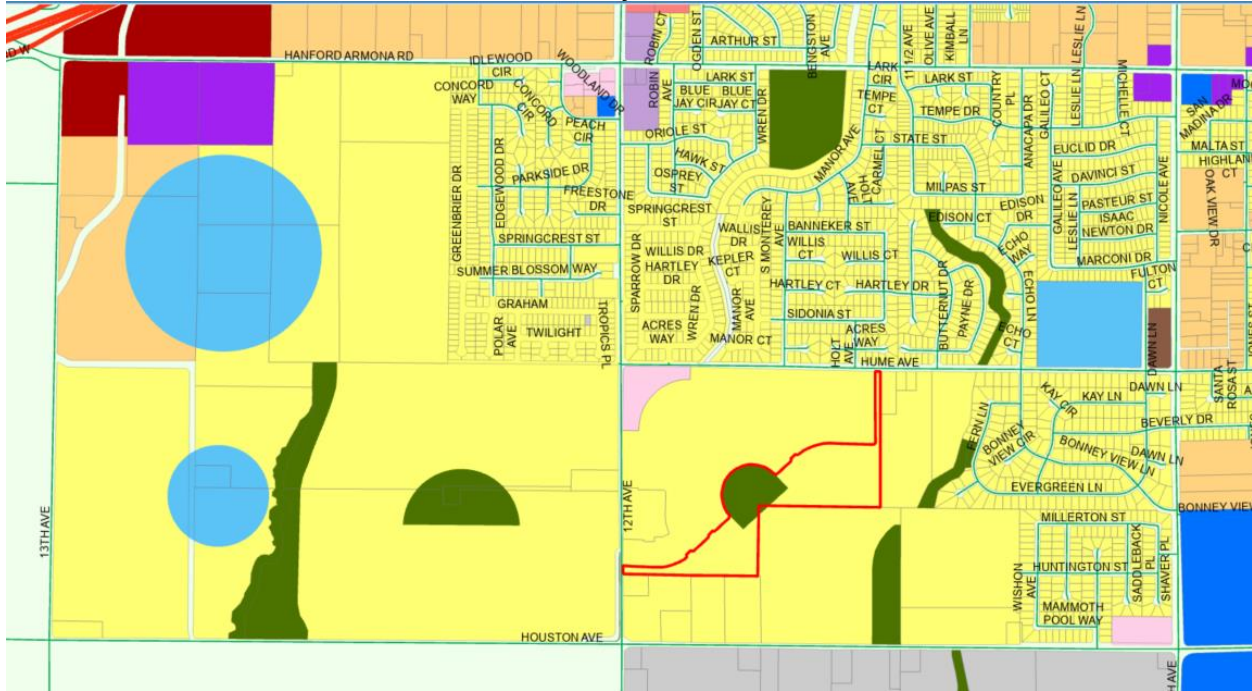
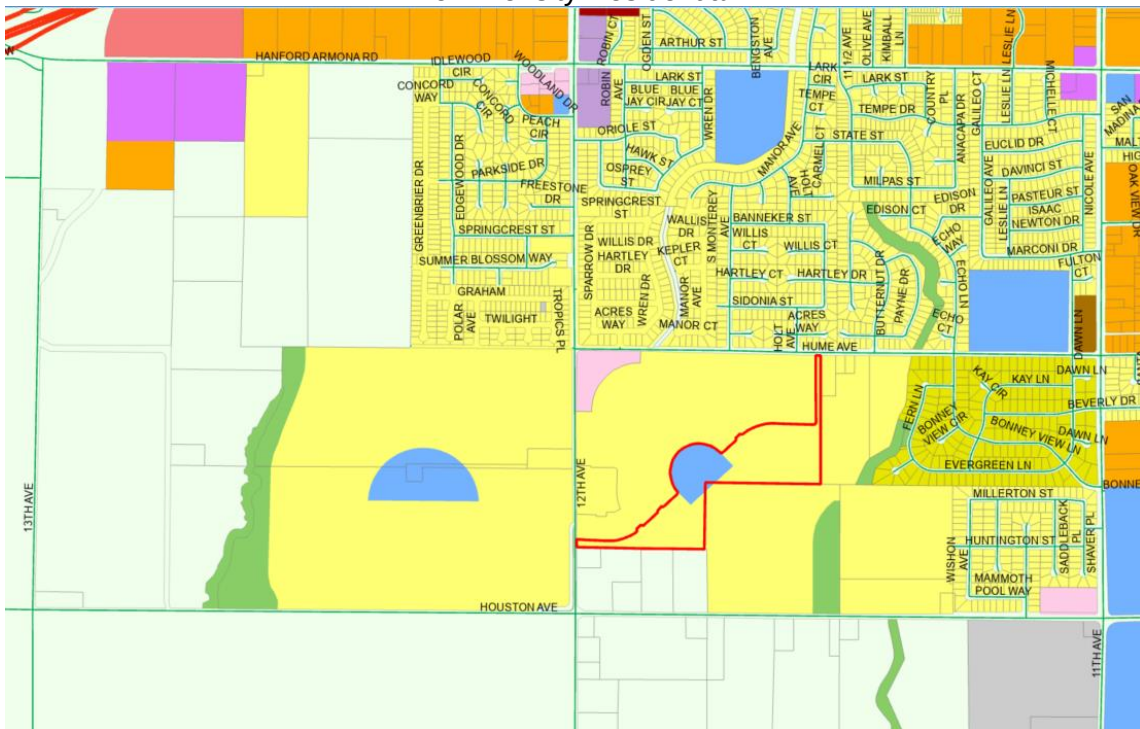


Figure 4:
Zoning Designation (Property outlined in red)
Low-Density Residential



Entitlement

The applicant submitted building permit FY22-2451 for development of the site as a single-family residence – **Attachment 1**. The subject site is a single-family residential lot within the Live Oak Master Planned Community, approved under Planned Unit Development No. 2005-04 and Tentative Tract 865.

The Live Oak Master Plan contains varying development standards (see **Attachment 2**); however, the Master Plan does not allow a deviation from the street-side setback. In accordance with the Master Plan, the street-side setback on a corner lot shall be 10 feet, consistent with the Hanford Municipal Code.

PROJECT EVALUATION

Compliance with Hanford Municipal Code and Live Oak Master Plan

Building Permit FY22-2451 was reviewed for conformance with the standards of the Live Oak Development Master Plan and the regulations set forth in Section 17.10 for the Low-Density Residential zone district, where the Master Plan was silent.

The Live Oak Master Plan was approved through Planned Unit Development No. 2005-04 and supersedes the regulations of the Hanford Municipal Code.

17.10.030 Lot Area

The minimum lot area in the R-L-5 Low-Density Residential zone district and in the Live Oak Master Plan shall be 5,000 square feet.

The subject property is 5,480 which satisfies the minimum lot area requirement for the R-L-5 Low-Density Residential zone district and the Live Oak Master Plan.

17.10.040 Lot Dimensions

In the R-L-5 Low Density Residential zone district, lot dimensions shall be as follows:

Lot frontage: 40 feet

Lot width: 50 feet for interior lots and 60 feet for corner lots

Lot depth: 90 feet

In accordance with the Live Oak Master Plan, lot dimensions shall be as follows:

Lot Frontage: 55 feet minimum (local streets)
40 feet minimum (radial streets)

Lot Width: 65 feet minimum for a corner lot (measured at front yard setback)
50 feet minimum for a radial lot (measured at front yard setback)

Depth: 90 feet

The lot's radial frontage is 58.4 feet. The lot's width is 58.4 feet, measured at the front setback. The lot's depth is 106.25 feet. The lot satisfies the standards for the R-L-5 Low-Density Residential zone district and the Live Oak Master Plan.

17.10.050 Dwelling Units Per Lot

Dwelling units per lot are not addressed in the Live Oak Master Plan, therefore, the regulations of the R-L-5 Low-Density Residential zone district would apply. In the R-L-5 Low-Density Residential zone district, not more than one dwelling unit shall be allowed on each lot, unless approved as an accessory use to an allowed or approved conditional use, or approved as an accessory dwelling unit in accordance with Section [17.60.030](#).

The applicant proposes one single-family residential unit for the project site.

17.10.060 Coverage

Coverage is not limited in the Live Oak Master Plan; therefore, the regulations of the R-L-5 Low-Density Residential zone district would apply. The maximum coverage of the lot shall be determined by the combined building setback area requirements, open space requirements, and off-street parking and loading requirements. All required building setbacks, landscaping, off-street parking and loading requirements were evaluated and mandated as part of the building permit review process. A deviation from the required street-side setback is requested and can be supported, as demonstrated in the findings below.

17.10.070 Building Setback Area

In the R-L-5 Low Density Residential zone district, building setbacks shall be as follows:

Front Yard:	Livable	15 feet
	Garage	20 feet
Rear Yard:	One-Story	15 feet; 20 feet where there is a landscape easement
	Two-Story	25 feet; 30 feet where there is a landscape easement
Side Yard:	Interior	5 feet
	Street-Side	10 feet*

**Where there is a landscape easement with a wall or fence on the street-side of the lot, the side yard setback area shall be measured from the easement area instead of the side lot line.*

In this case, the property line is coterminous with the inside of the landscape lot.

In accordance with the Live Oak Master Plan, building setbacks shall be as follows:

Front Yard:	Porch	10 feet
	Livable	15 feet
	Garage	20 feet
Rear Yard:	One-Story	15 feet

	Multi-Story	5 feet additional per story
Side Yard:	Interior	5 feet
	Street-Side	10 feet
	Garage	20 feet (side entry)
	Porch	10 feet

Front-Yard Setback:

The proposed residence's garage is setback 20 feet to the front property line. The livable space is setback approximately 29 feet and eight and a half inches (29' 8 1/2 ") from the closest point of the residence to the front property line. This satisfies the required front-yard setback for the garage and livable space of the Live Oak Master Plan and R-L-5 Low-Density Residential standards.

Rear-Yard Setback:

The proposed residence is setback 17 feet and five inches from the rear property line. The one-story structure setback satisfies the 15-foot rear-yard setback set forth in the Hanford Municipal Code and the Live Oak Master Plan.

Interior Side-Yard Setback:

The proposed residence is setback five feet from the interior side-yard property line. This satisfies the required interior side-yard setback of the Live Oak Master Plan and R-L-5 Low-Density Residential standards.

Street-Side Side-Yard Setback:

Per the requirements of the Live Oak Master Plan and the R-L-5 Low-Density Residential zone district, a 10 foot-side-yard setback shall be provided on the street-side property line. The applicant provides a five-foot side-yard setback along the property line adjoining Alpine Avenue. The applicant seeks a variance to the street-side setback area for the lot line adjoining Alpine Avenue. Staff is able to support the variance request, as demonstrated in the variance findings, below.

17.10.080 Distances Between Structures

Per the requirements of the Live Oak Master Plan and the R-L-5 Low-Density Residential zone district, the minimum distance between structures shall be 10 feet, except as provided by the building code. There is only one structure proposed on site. Future structures would be required to meet the provided separation requirements.

17.10.090 Height of Structures

Per the requirements of the Live Oak Master Plan, the maximum building height, measured from finished floor elevation, shall be as follows:

Primary Unit:	35 feet
Accessory Structure:	25 feet
Accessory structure with a Residential Unit:	30 feet

In the R-L-5 Low-Density Residential zone district, the maximum height of structures is 35 feet.

The proposed single-story residence is eight feet and one inch, measured from the grade to horizontal plate line height of the residence, which does not exceed the required height of the Live Oak Master Plan or R-L-5 Low-Density Residential zone district.

17.10.100 Driveways

The width of a driveway and any paved area in the R-L-5 Low-Density Residential zone district shall not cumulatively exceed 40% of the width of the lot's street frontage on which the driveway and any paved area faces. On corner lots, the driveway shall be located on the side of the lot adjacent to the interior lot.

The driveway is 16-feet wide and is approximately 27% of the width of the lot's street frontage. Therefore, the proposed driveway does not exceed the required driveway standards of the R-L-5 Low-Density residential zone district. Driveway standards are not addressed in the Live Oak Master Plan.

17.10.130 Off-Street Parking

In the R-L-5 Low-Density Residential zone district, single-family dwellings shall provide a minimum of one covered and one uncovered parking space. Other uses shall provide parking as prescribed in Chapter [17.54](#).

According to the Live Oak Master Plan, two parking spaces shall be provided per unit. Spaces are required to be covered and provided within a garage or carport.

The applicant provides a two-car garage for the proposed residence.

17.10.140 Usable Open Space

In the R-L-5 Low-Density Residential zone district, each lot shall provide for a usable open space area of a minimum four hundred (400) square feet that is a minimum fifteen (15) feet wide.

Open space requirements are not addressed in the Live Oak Master Plan.

The applicant provides a 17-feet-five-inch by 50 feet (870 square feet) open space area in the backyard, which satisfied the requirement of the R-L-5 Low-Density Residential zone district.

17.10.150 Landscaping

In the R-L-5 Low-Density Residential zone district, except for driveways and approved parking areas, all yard areas and setback areas visible from the street(s) shall be landscaped with live plant materials and ornamentation common to the Hanford area, or up to 100% of the yard and setback area may be landscaped with artificial turf and other permeable surfaces. Required landscaping is to be installed within six (6) months after occupancy of the residence and continually maintained.

In accordance with the Live Oak Master Plan, 30% of the lot shall be landscaped. The applicant has submitted landscape plans for the Sterling Oaks subdivision consistent with the requirements of the Live Oak Master Plan.

All requirements of the R-L-5 Low-Density Density Residential zone district and the Live Oak Master Plan are satisfied, with the exception of the street-side side-yard setback requirement, for which a variance is sought.

Reasons for Setbacks

The City requires setbacks between for several reasons:

Safety:

Maintaining setbacks between buildings and uses is important for safety reasons. Having adequate setbacks between structures and uses provides access for the Fire Department to reach fires, in cases of emergency. In this case, the variance is applicable to the street-side side-yard setback area. There is not a concern regarding the separation of uses for Fire Department access.

The residential structure will be setback 13 feet from the sidewalk abutting Alpine Avenue, the setback is a combination of the five-foot setback and an eight-foot landscape lot.

Noise:

Setbacks also are in place to reduce noise impacts. The setback reduction pertains to the street-side lot line, which will not create noise issues. All noise generated from the property would be required to meet the Noise Emission standards prescribed by the General Plan.

Preventing Crowding:

Another reason setbacks are required by the City is to reduce crowding and provide separation between uses and structures.

The reduction of the street-side side-yard setback will not create a crowding issue, since it will not affect the distance between the proposed residential structure and any other nearby structure. Additionally, a block wall will be provided between the residence and the public street, further separating uses.

There is an eight-foot landscape lot with a block wall along the street-side side-yard lot line on Alpine Avenue. The block wall and landscape easement will serve to provide significant distance between the residence and the public right-of-way.

Providing Open Space Areas:

Within the City of Hanford, there are requirements for open space – this is generally accommodated in the required setback area. The applicant provides an adequate open-space area in the rear property, which totals 870 square feet, which far exceeds the required 400-square-foot open-space requirement for the R-L-5 Low-Density Residential zone district.

Allowing the variance will not have impacts to safety, noise, the prevention of crowding, or providing open space areas.

In accordance with Section 17.84.010, the purpose of a variance is to allow deviations from the development standard 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 granting of Variance No. 2022-06 would be consistent with the purpose of the variance process, as the special circumstance applicable to the property pertains to the configuration of the corner lot. Although the has street frontage on two streets, Angus Court and Alpine Avenue, the site is only accessible through the Angus Court frontage, since there is a block wall and landscape lot along the Alpine Avenue frontage. The limited frontage from one side is similar to an interior lot, for which there is only a five-foot setback.

Two variances were previously approved by the Planning Commission for the same request in the Live Oak subdivision Tract 865 on October 26, 2021 – Variance 2021-05 and 2021-06.

FINDINGS FOR APPROVAL

Variance No. 2022-06

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 circumstances applicable to the property pertains to the configuration of the corner lot. Although the has street frontage on two streets, Angus Court and Alpine Avenue, the site is only accessible through the Angus Court frontage, since there is a block wall and landscape easement along the Alpine Avenue frontage. The limited frontage from one side is similar to an interior lot, for which there is only a five-foot setback.

Additionally, previous variances 2021-05 and 2021-06 were approved in the same subdivision for the same request.

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 the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the vicinity in the same zone district. Although the property has frontage on two public streets, since the property only has access through one frontage, Angus Court, the lot is similar to an interior lot. Interior lots are only required to provide a five-foot setback, versus corner lots, which require a 10-foot street-side setback.

Additionally, previous variances 2021-05 and 2021-06 were approved in the same subdivision for the same request.

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 allowing the reduced street-side side-yard setback will not create a safety hazard. The residential structure will be setback 13 feet from the sidewalk adjoining Alpine Avenue, the setback is a combination of an eight-foot landscape easement and a five-foot setback. The various departments reviewed the proposal and conditioned the project, accordingly.

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 typical R-L-5 Low-Density Residential lots do not share the configuration unique to this lot. Although the property has street frontage on two public streets, since the property only has access through one frontage, Angus Court, the lot is similar to an interior lot. Interior lots are only required to provide a five-foot setback, versus corner lots, which require a 10-foot street-side setback. Since the property is not accessible through the Alpine Avenue frontage, the street-side side-yard setbacks are not necessary.

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 the variance applies to the street-side side-yard setback area for a single-family residence. The use of a single-family residence is a permitted use in the R-L-5 Low-Density Residential 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 the property pertains to the configuration of the lot. Although the property has street frontage on two streets, Angus Court and Alpine Avenue, the site is only accessible through the Angus Court frontage, since there is a block wall and landscape easement along the Alpine Avenue frontage. The limited frontage from one side is similar to an interior lot, for which there is only a five-foot setback.

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, Residential Land Use Designations Goal L8, which aims to provide a range of residential building types suitable for a variety of lifestyles, ages, affordability levels, and design options.

PUBLIC COMMENTS

A Notice of Public Hearing for the project was noticed in the local newspaper on July 1, 2022 and mailed to property owners within 300 feet of the project site on June 30, 2022. 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 15303, New Construction or Conversion of Small Structures 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**.

RECOMMENDATION

Staff recommends that the Planning Commission:

1. Adopt Resolution No. 2022-22, approving Variance No. 2022-06.

Applicant/Owner:

San Joaquin Valley Homes
5607 Avenida de los Robles
Visalia, CA 93291

Attachment: Staff Report - 1305 Angus Ct (VAR 2022-06 1304 S Angus Ct)

RESOLUTION NO. 2022-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HANFORD APPROVING VARIANCE NO. 2022-06, A REQUEST TO DEVIATE FROM THE STANDARDS OF THE HANFORD MUNICIPAL CODE SECTION 17.10.070 E, IN ORDER TO REDUCE THE STREET-SIDE SETBACK FOR AN IRREGULAR CORNER LOT IN THE R-L-5 LOW-DENSITY RESIDENTIAL ZONE DISTRICT. THE PROJECT IS LOCATED AT 1305 S. ANGUS COURT (APN 011-110-029). THE SUBJECT SITE IS LOT 181 OF TRACT 865, WHICH HAS NOT BEEN ASSIGNED ITS OWN ASSESSOR'S PARCEL NUMBER YET.

At a regular meeting of the City of Hanford Planning Commission duly called and held on July 12, 2022 on motion of Commissioner _____, seconded by Commissioner _____, and duly carried, the following resolution was adopted:

WHEREAS, Variance No. 2022-06, a request to deviate from the standards of the Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for an irregular corner lot in the R-L-5 Low-Density Residential zone district, as shown in **Exhibit A**, has been reviewed by the Planning Commission of the City of Hanford in accordance with Title 17.84 of the Hanford Municipal Code; and

WHEREAS, the project is located at 1305 S. Angus Court (APN 011-110-029). The subject site is lot 181 of Tract 865, which has not been assigned its own assessor's parcel number yet; and

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

WHEREAS, the project is exempt from environmental review, per Section 15303 New Construction and Conversion of Small Structures 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 17.84.050 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 circumstances applicable to the property pertains to the configuration of the corner lot. Although the has street frontage on two streets, Angus Court and Alpine Avenue, the site is only accessible through the Angus Court frontage, since there is a block wall and landscape easement along the Alpine Avenue frontage. The limited frontage from one side is similar to an interior lot, for which there is only a five-foot setback.

Additionally, previous variances 2021-05 and 2021-06 were approved in the same subdivision for the same request.

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 the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the vicinity in the same zone district. Although the property has frontage on two public streets, since the property only has access through one frontage, Angus Court, the lot is similar to an interior lot. Interior lots are only required to provide a five-foot setback, versus corner lots, which require a 10-foot street-side setback.

Additionally, previous variances 2021-05 and 2021-06 were approved in the same subdivision for the same request.

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 allowing the reduced street-side side-yard setback will not create a safety hazard. The residential structure will be setback 13 feet from the sidewalk adjoining Alpine Avenue, the setback is a combination of an eight-foot landscape easement and a five-foot setback. The various departments reviewed the proposal and conditioned the project, accordingly.

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 typical R-L-5 Low-Density Residential lots do not share the configuration unique to this lot. Although the property has street frontage on two public streets, since the property only has access through one frontage, Angus Court, the lot is similar to an interior lot. Interior lots are only required to provide a five-foot setback, versus corner lots, which require a 10-foot street-side setback. Since the property is not accessible through the Alpine Avenue frontage, the street-side side-yard setbacks are not necessary.

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 the variance applies to the street-side side-yard setback area for a single-family residence. The use of a single-family residence is a permitted use in the R-L-5 Low-Density Residential 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 the property pertains to the configuration of the lot. Although the property has street frontage on two streets, Angus Court and Alpine Avenue, the site is only accessible through the Angus Court frontage, since there

is a block wall and landscape easement along the Alpine Avenue frontage. The limited frontage from one side is similar to an interior lot, for which there is only a five-foot setback.

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, Residential Land Use Designations Goal L8, which aims to provide a range of residential building types suitable for a variety of lifestyles, ages, affordability levels, and design options.

THEREFORE, BE IT RESOLVED that Variance No. 2022-06 be approved, subject to the conditions of approval, below:

1. That the subject site be developed, as shown in Exhibit A – FY22-2451.
2. That all development shall conform to the standards of the Hanford Municipal Code, except where modified by the Live Oak Master Plan Design Standards and this resolution.

EXPIRATION

That this Variance 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, **Mary E. Beatie**, Interim 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 12th day of July 2022.

Mary E. Beatie, Interim Secretary

Exhibit A
FY22-2451

Attachment: Resolution 2022-22 (VAR 2022-06 1304 S Angus Ct)



San Joaquin Valley HOMES

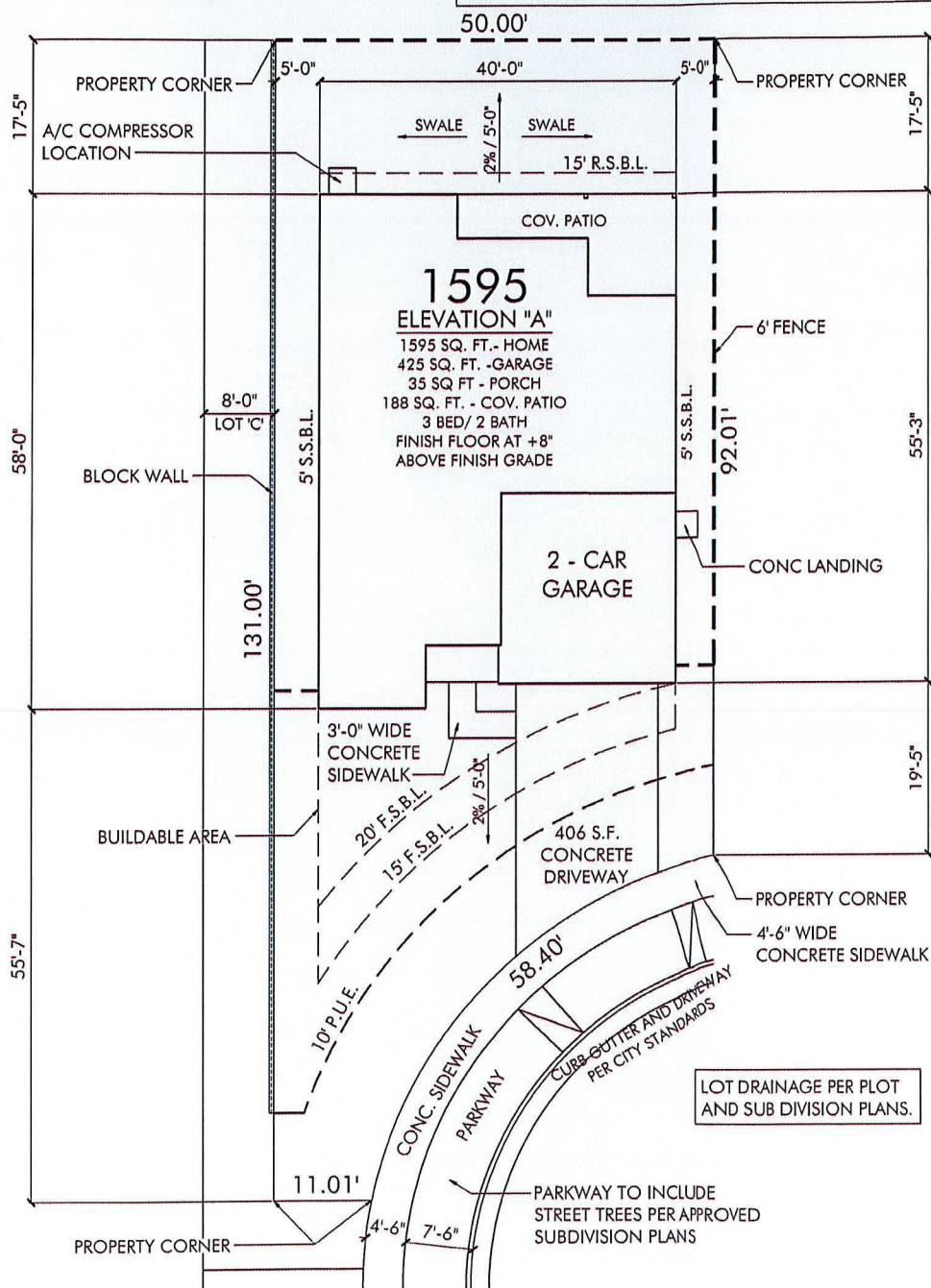
5607 AVE DE LOS ROBLES
VISALIA, CA 93291
Voice 559-732-2660

LANDSCAPING REQUIREMENTS:

1. 6 CUBIC YARDS 3" THICK LAYER OF LANDSCAPE MULCH
2. 25% WITH MAXIMUM 500 SQ. FT. WARM SEASON BERMUDA GRASS TURF

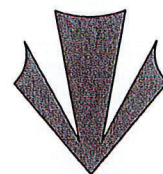
I AGREE TO COMPLY WITH THE MWELO PRESCRIPTIVE COMPLIANCE OPTION

- 1384 SF FRONT YARD LANDSCAPE - TURF NOT TO EXCEED 346 SF
- 438 SF FRONT YARD HARDSCAPE



SITE PLAN

ADDRESS: 1305 S. ANGUS CT.
APN:



NORTH
1" = 20'

LOT: 181

HIDDEN OAKS TRACT NO. 865

HANFORD

ALL DIMENSIONS SHOWN ARE WITHIN +/- 3%

BUYERS SIGNATURE _____

APPROVAL DATE ZB 3/29/2022



San Joaquin Valley HOMES

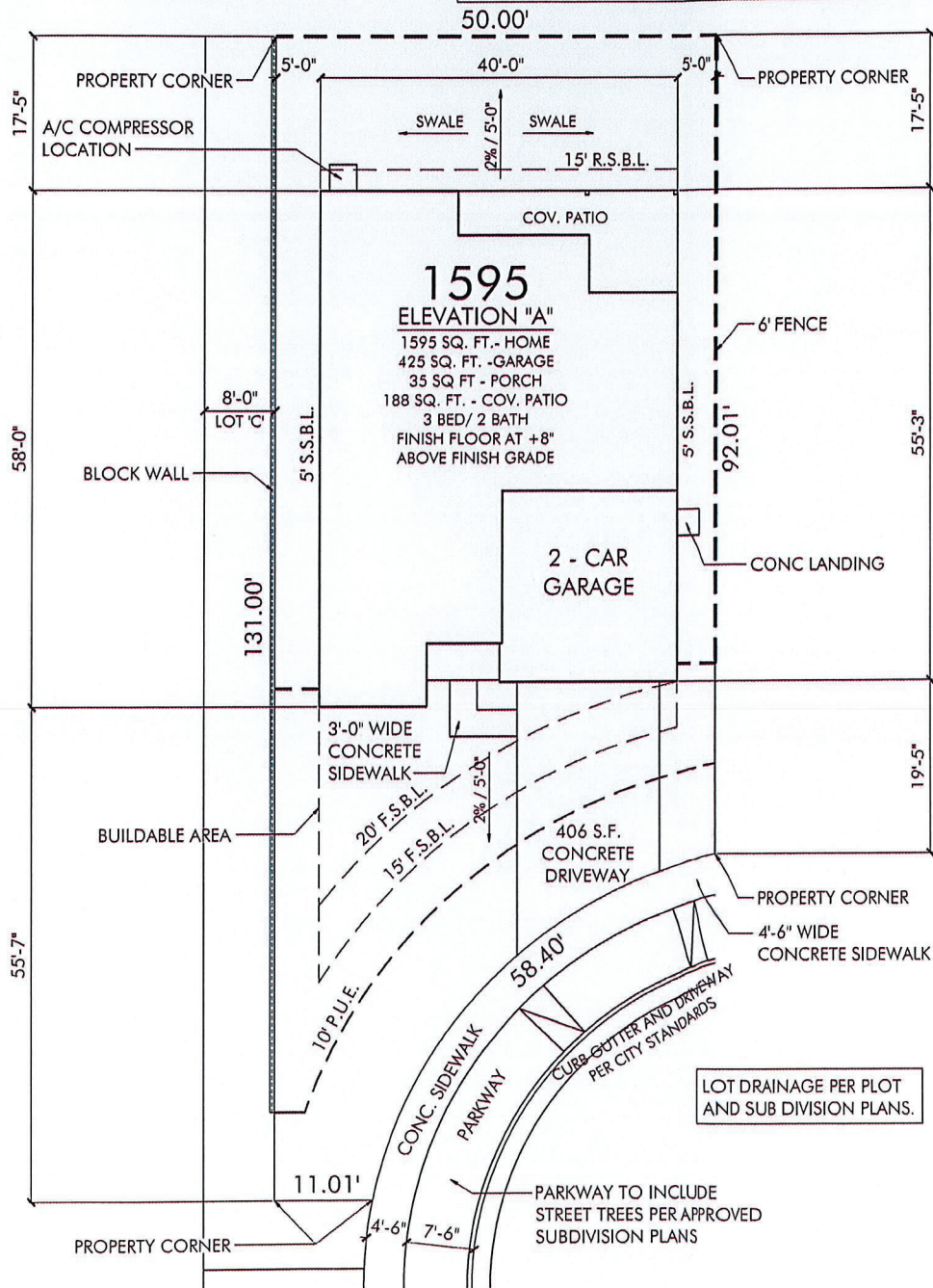
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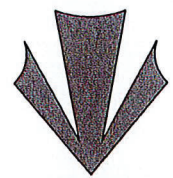
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SITE PLAN

ADDRESS: 1305 S. ANGUS CT.
APN:



NORTH
1" = 20'

LOT: 181

HIDDEN OAKS TRACT NO. 865

HANFORD

ALL DIMENSIONS SHOWN ARE WITHIN +/- 3%

BUYERS SIGNATURE _____

APPROVAL DATE ZB 3/29/2022

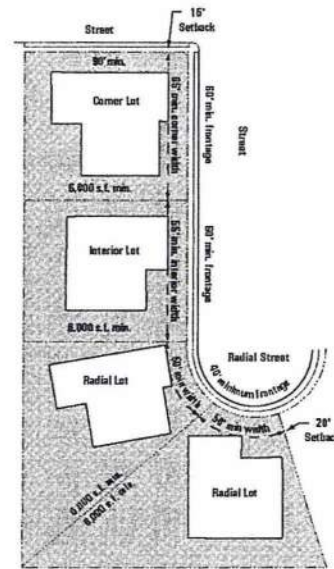
Chapter 3

Table 3.3 Low Density Residential (LD) Standards

Land Use	Low Density Residential
Base Zone District	R-1-6 R-L-5
Density Range	3-9 Dwelling units/gross acre 2-10 Dwelling units/gross acre
Permitted Use	HMC Section 17-18-020 17.10
Administrative Approval	HMC Section 17-18-030 17.10
Conditional Uses	HMC Section 17-18-040 17.10

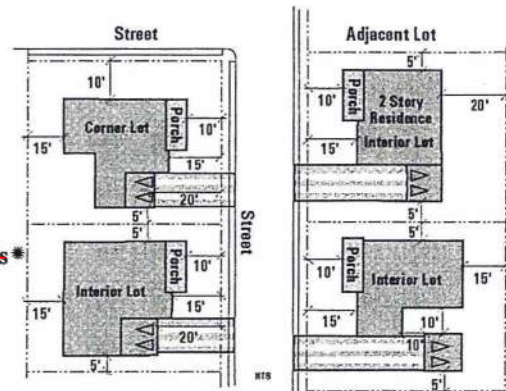
Lot Configuration

Lot Area	5,000 6,000 square feet minimum
Width	
Interior Lot	55 feet minimum (Measured at front yard setback)
Corner Lot	65 feet minimum (Measured at front yard setback)
Radial Lot	50 feet minimum (Measured at front yard setback)
Depth	90 feet minimum
Frontage	55 feet minimum (local streets) (Measure at the edge of ROW) 40 feet minimum (radial streets) (Measure at the edge of ROW)
Lot Coverage	40% maximum
Landscaping	30% of lot minimum



Setbacks

Front Yard	
Covered Porch	10 feet minimum
Living Space	15 feet minimum
Garage	20 feet minimum
Side Yard	
Interior	5 feet minimum
Corner (Street Side)	10 feet minimum
Corner (Street Side)	15 feet minimum at collector streets *
Garage (Side Entry)	20 feet minimum
Covered Porch	10 feet minimum
Rear Yard (one-story)	15 feet minimum
Multi-Story	5 feet additional per story



Accessory Structures 5 feet from rear or side property line
(When located in the rear yard)

Distance Between Buildings 10 feet minimum, or allowed per the Building Code

* Collector Streets are as defined by City of Hanford Municipal Code

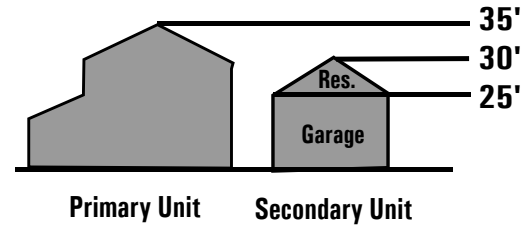
Public Review Draft

Land Use & Neighborhood Design

Building Heights

Primary Unit
Accessory Structure
With Res. Unit

Measured from finished floor elevation
35 feet maximum
25 feet maximum
30 feet maximum



Off Street Parking

Parking Requirement 2 spaces/unit minimum (4 spaces/unit if no street driveway access)
(Minimum two covered spaces within a garage or carport)

Garages

Refer also to Section 3.3.6

~~Coverage 50% maximum of first floor front elevation~~

Front Loaded Garage

Front Yard Setback 20 feet minimum
Corner Side Yard Setback 20 feet minimum

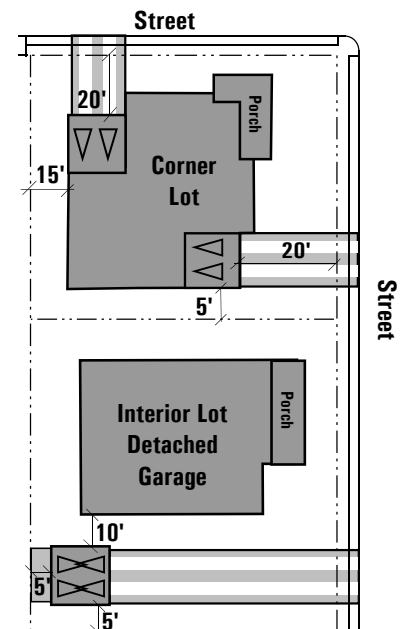
Detached Garage

Side Yard (Interior) 5 feet minimum
Side Yard (Street side) 20 feet minimum

Rear Yard

5 feet minimum
(setback a min. of 15' from alley centerline)

Note: When alley is available, no front loaded garage is allowed. (Refer to Residential policy F. and Garage Design Guidelines E.)



Porches

Refer also to Section 3.3.7

Requirement

60% of all units

Fencing and Walls

Refer also to Section 3.3.8

Within Setbacks

Front and Side Yard

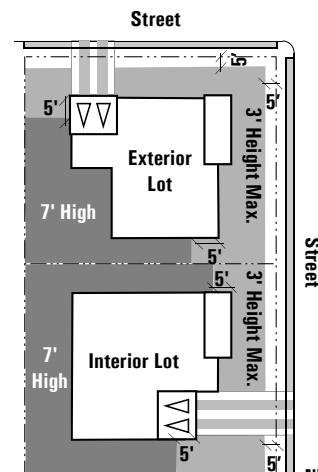
3 feet maximum height (Must be 5' minimum behind property line and a minimum of 50% transparent)

Rear and Side Yard

7* feet maximum height
(Along rear and side property line when setback a minimum of 5' behind leading edge of house)

Along Alley

7* feet maximum height
(Along rear property, setback 3 feet minimum from alley Right of Way.)



*As per city standards.



Notice of Exemption 2022-60

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 No. 2022-06

Project Location – The project is located at 1305 S. Angus Court.
(APN 011-110-029). The subject site is lot 182 of Tract 865, which has not been
assigned its own assessor's parcel number yet. The APN provided is for the
parcel, overall, pre-subdivision.

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

Description of Nature, Purpose and Beneficiaries of Project: **Variance No. 2022-06**, a request to deviate from the standards of the
Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for an irregular corner lot in the R-L-5 Low-
Density Residential zone district.

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

Name of Person or Agency Carrying Out Project: San Joaquin Valley Homes

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 New Construction and Conversion of Small Structures
☐ 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 15303 New Construction or Conversion of Small Structures of California Environmental Quality Act (CEQA) guidelines, the project is categorically exempt from future environmental review. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The proposed project will not result in cumulative impacts of successive projects of the same type in the same place, is not located within or near a scenic highway, road, or corridor, is not located on a hazardous waste site, and does not involve any change to a historical resource.

Lead Agency Contact Person: Gabrielle Myers Area Code/ Telephone: (559) 585-2578

Signature: _____ Date: July 12, 2022 Title: Senior Planner

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

Attachment: Attachment 3 - Notice of Exemption (VAR 2022-06 1304 S Angus Ct)



AGENDA STAFF REPORT

MEETING DATE: 7/12/2022	AGENDA SECTION: 5
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SUBJECT:

Variance No. 2022-07: A request to deviate from the standards of the Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for an irregular corner lot in the R-L-5 Low-Density Residential zone district from 10 feet to five feet. The project is located at 1302 S. Autumn Breeze Court (APN 011-110-029). The subject site is lot 168 of Tract 865, which has not been assigned its own assessor's parcel number yet. The APN provided is for the parcel, overall, pre-subdivision.

See staff report, attached.

FISCAL IMPACT:

ATTACHMENTS:

Staff Report - 1302 Autumn Breeze Court

Resolution 2022-23

Attachment 1 - FY22-2446

Attachment 2 - Live Oak Master Plan Low-Density Standards

Attachment 3 - Notice of Exemption

**CITY OF HANFORD PLANNING COMMISSION
STAFF REPORT
Tuesday, July 12, 2022**

PROJECT: **Variance No. 2022-07:** A request to deviate from the standards of the Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for an irregular corner lot in the R-L-5 Low-Density Residential zone district from 10 feet to five feet.

LOCATION: The project is located at 1302 S. Autumn Breeze Court (APN 011-110-029). The subject site is lot 168 of Tract 865, which has not been assigned its own assessor's parcel number yet. The APN provided is for the parcel, overall, pre-subdivision.

PLANNER: Gabrielle Myers, Senior Planner

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

1. Adopt Resolution No. 2022-23, approving Variance No. 2022-07.

RECOMMENDED MOTION

1. I move to adopt Resolution No. 2022-23, approving Variance No. 2022-07.

PROJECT DESCRIPTION

The project is a request to deviate from the standards of the Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for a single-family home on an irregular corner lot in the R-L-5 Low-Density Residential zone district.

In accordance with Section 17.10.070 E, the side building setback area shall be ten feet from a street-side property line. In accordance with Section 17.10.070 F, where there is a landscape easement with a wall or fence on the street-side of the lot, the side yard setback area shall be measured from the easement area, instead of the side lot line.

The applicant submitted building permit FY22-2446 for the development of the subject site as a three-bedroom, two-story, single-family residence in Tract 865, Sterling Oaks. FY22-2446 is attached, **Attachment 1**.

The street-side setback area provided is insufficient. The required setback is 10 feet, measured from the property line. The provided setback is five feet.

Project Location

The project is located at 1302 S. Autumn Breeze Court (Lot 168) in Tract 865, Sterling Oaks, which is a tract within the Live Oak Master Planned Community. Since Tract 865 was recently recorded, an individual assessor's parcel number (APN) has not been created for the subject parcel, yet. The subject lot is shown, highlighted in yellow, below.

Figure 1: Lot Location (shown in yellow)

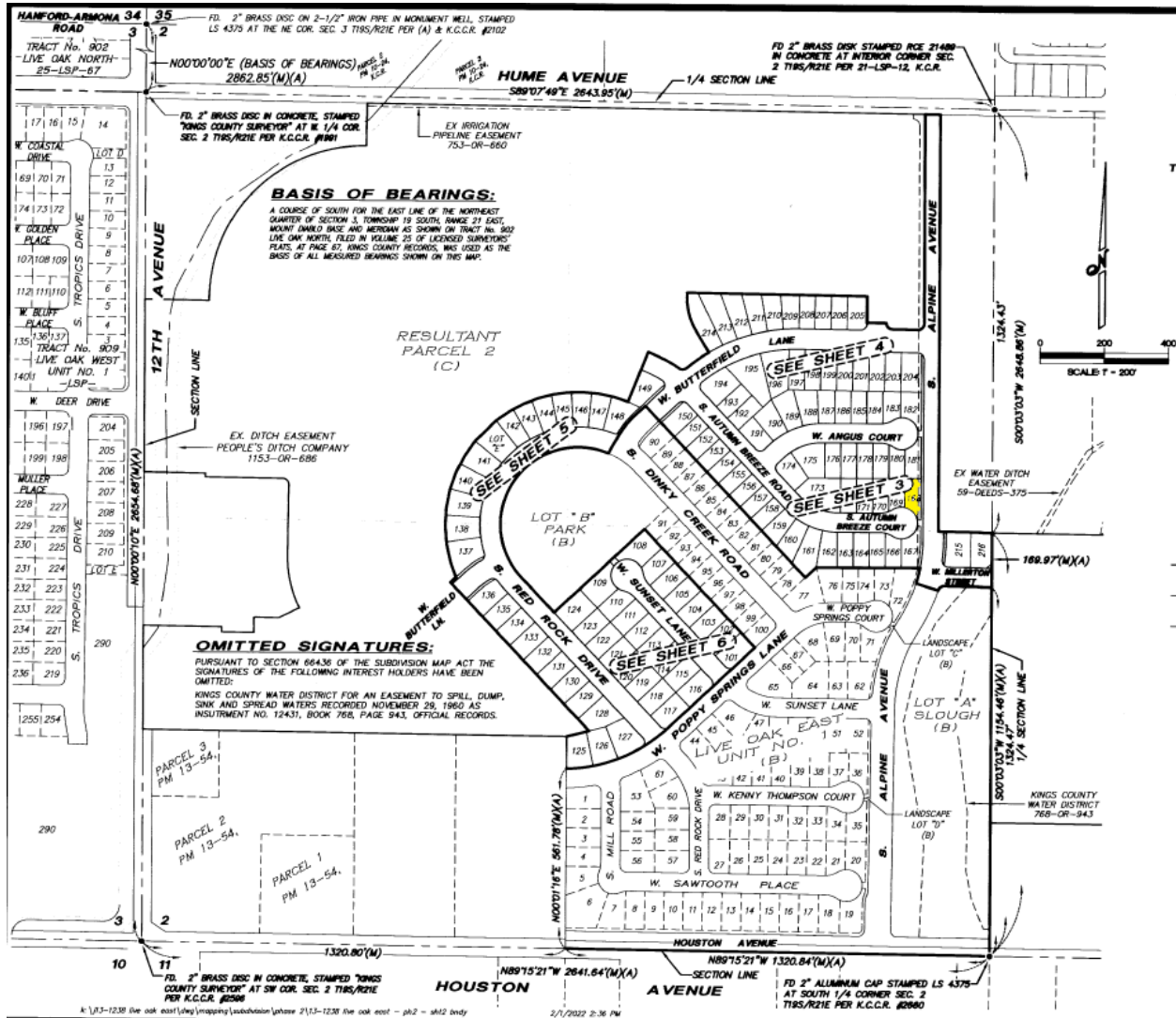
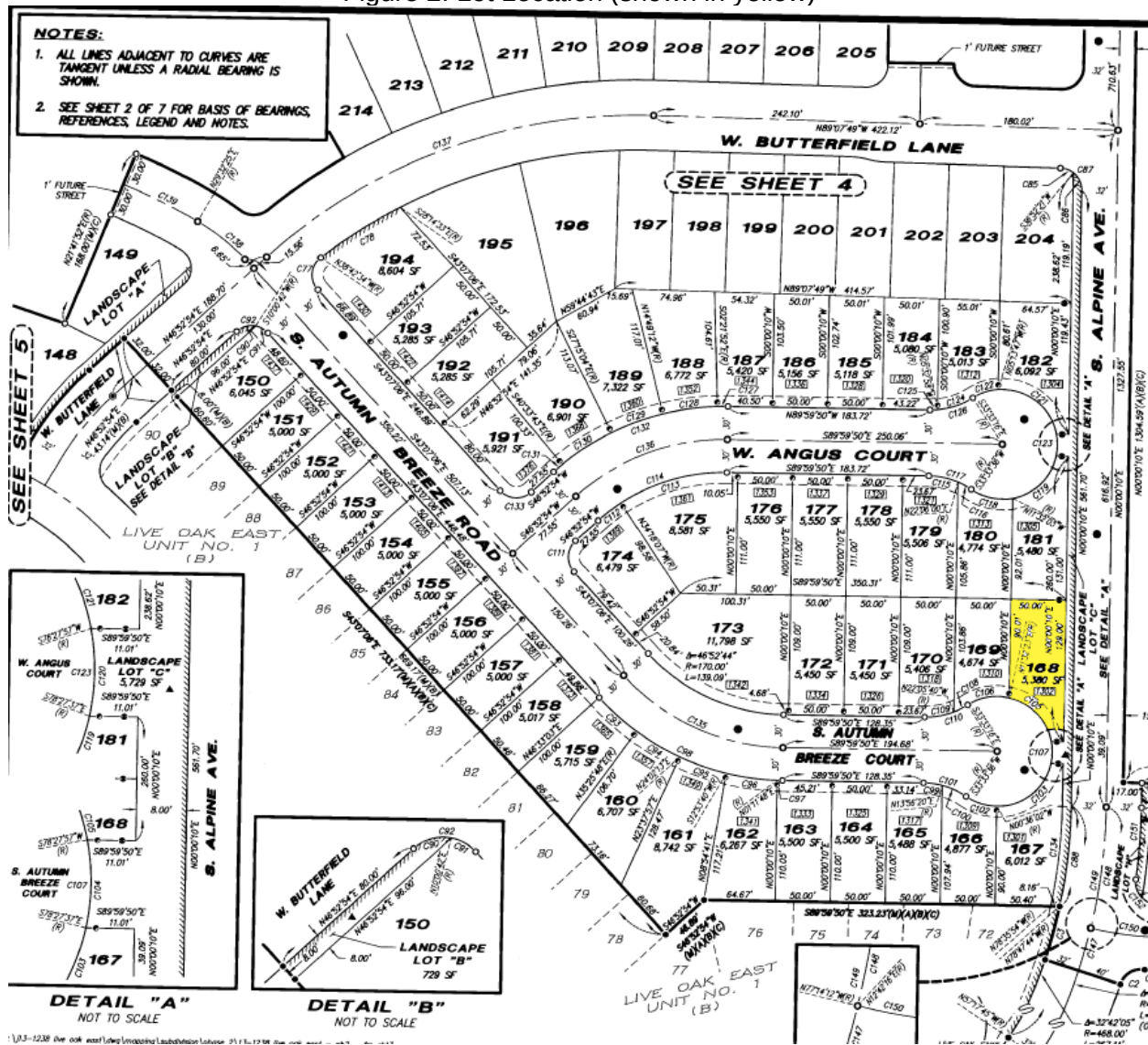


Figure 2: Lot Location (shown in yellow)



The General Plan designates the property as Low-Density Residential (see Figure 3, below). The property is zoned R-L-5 Low-Density Residential, which corresponds with the General Plan designation (see Figure 4, below).

Figure 3:
General Plan Designation (Property outlined in red)
Low-Density Residential

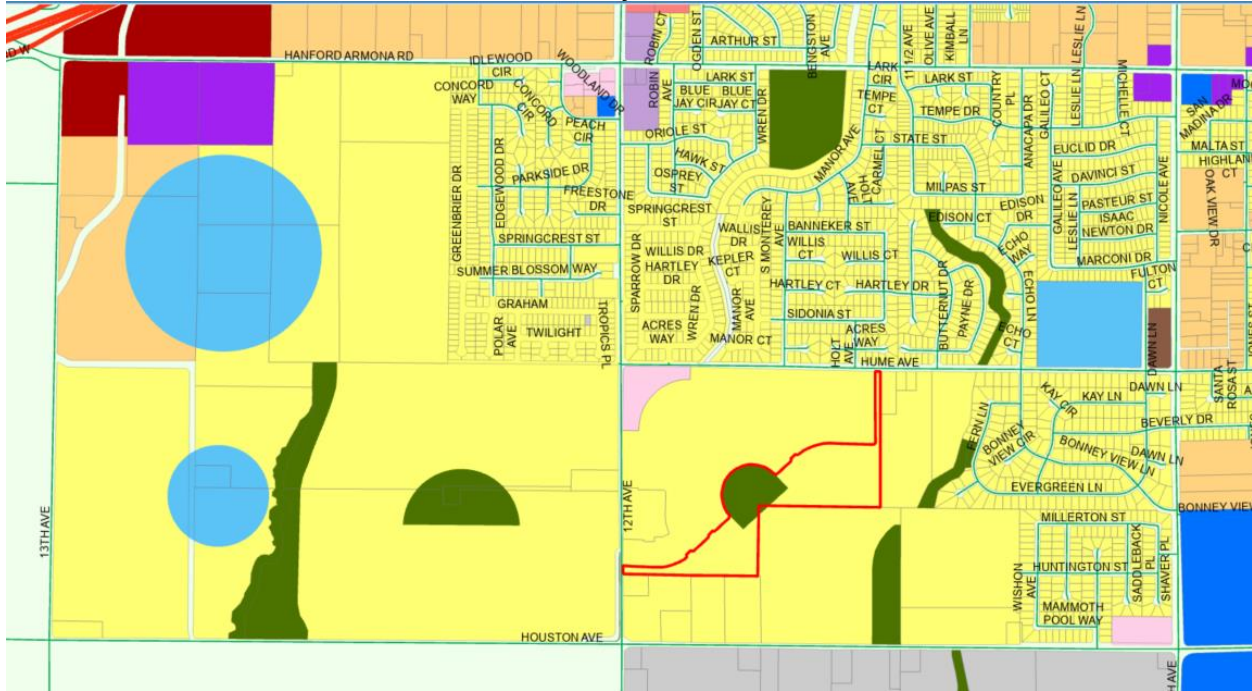
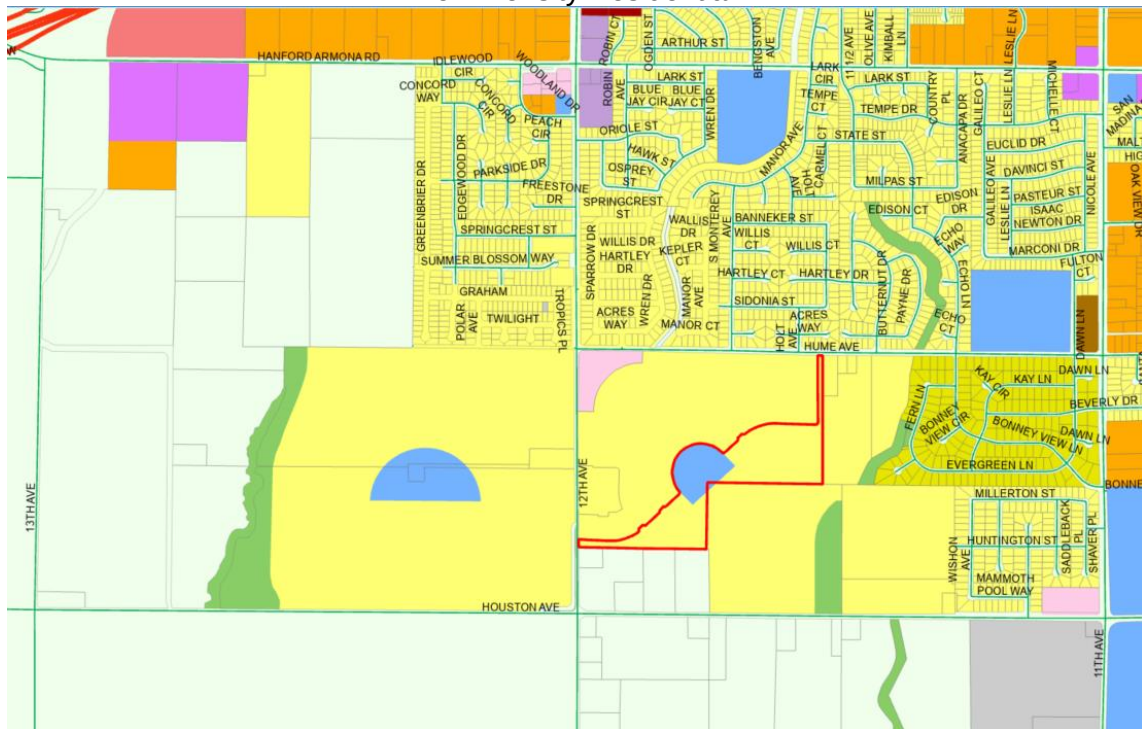


Figure 4:
Zoning Designation (Property outlined in red)
Low-Density Residential



Entitlement

The applicant submitted building permit FY22-2446 for development of the site as a single-family residence – **Attachment 1**. The subject site is a single-family residential lot within the Live Oak Master Planned Community, approved under Planned Unit Development No. 2005-04 and Tentative Tract 865.

The Live Oak Master Plan contains varying development standards (see **Attachment 2**); however, the Master Plan does not allow a deviation from the street-side setback. In accordance with the Master Plan, the street-side setback on a corner lot shall be 10 feet, consistent with the Hanford Municipal Code.

PROJECT EVALUATION

Compliance with Hanford Municipal Code and Live Oak Master Plan

Building Permit FY22-2446 was reviewed for conformance with the standards of the Live Oak Development Master Plan and the regulations set forth in Section 17.10 for the Low-Density Residential zone district, where the Master Plan was silent.

The Live Oak Master Plan was approved through Planned Unit Development No. 2005-04 and supersedes the regulations of the Hanford Municipal Code.

17.10.030 Lot Area

The minimum lot area in the R-L-5 Low-Density Residential zone district and in the Live Oak Master Plan shall be 5,000 square feet.

The subject property is 5,380 which satisfies the minimum lot area requirement for the R-L-5 Low-Density Residential zone district and the Live Oak Master Plan.

17.10.040 Lot Dimensions

In the R-L-5 Low Density Residential zone district, lot dimensions shall be as follows:

Lot frontage: 40 feet

Lot width: 50 feet for interior lots and 60 feet for corner lots

Lot depth: 90 feet

In accordance with the Live Oak Master Plan, lot dimensions shall be as follows:

Lot Frontage: 55 feet minimum (local streets)
40 feet minimum (radial streets)

Lot Width: 65 feet minimum for a corner lot (measured at front yard setback)
50 feet minimum for a radial lot (measured at front yard setback)

Depth: 90 feet

The lot's radial frontage is 58.4 feet. The lot's width is 58.04 feet, measured at the front setback. The lot's depth is 109.5 feet. The lot satisfies the standards for the R-L-5 Low-Density Residential zone district and the Live Oak Master Plan.

17.10.050 Dwelling Units Per Lot

Dwelling units per lot are not addressed in the Live Oak Master Plan, therefore, the regulations of the R-L-5 Low-Density Residential zone district would apply. In the R-L-5 Low-Density Residential zone district, not more than one dwelling unit shall be allowed on each lot, unless approved as an accessory use to an allowed or approved conditional use, or approved as an accessory dwelling unit in accordance with Section [17.60.030](#).

The applicant proposes one single-family residential unit for the project site.

17.10.060 Coverage

Coverage is not limited in the Live Oak Master Plan; therefore, the regulations of the R-L-5 Low-Density Residential zone district would apply. The maximum coverage of the lot shall be determined by the combined building setback area requirements, open space requirements, and off-street parking and loading requirements. All required building setbacks, landscaping, off-street parking and loading requirements were evaluated and mandated as part of the building permit review process. A deviation from the required street-side setback is requested and can be supported, as demonstrated in the findings below.

17.10.070 Building Setback Area

In the R-L-5 Low Density Residential zone district, building setbacks shall be as follows:

Front Yard:	Livable	15 feet
	Garage	20 feet
Rear Yard:	One-Story	15 feet; 20 feet where there is a landscape easement
	Two-Story	25 feet; 30 feet where there is a landscape easement
Side Yard:	Interior	5 feet
	Street-Side	10 feet*

**Where there is a landscape easement with a wall or fence on the street-side of the lot, the side yard setback area shall be measured from the easement area instead of the side lot line.*

In this case, the property line is coterminous with the inside of the landscape lot.

In accordance with the Live Oak Master Plan, building setbacks shall be as follows:

Front Yard:	Porch	10 feet
	Livable	15 feet
	Garage	20 feet
Rear Yard:	One-Story	15 feet
	Multi-Story	5 feet additional per story

Side Yard:	Interior	5 feet
	Street-Side	10 feet
	Garage	20 feet (side entry)
	Porch	10 feet

Front-Yard Setback:

The proposed residence's garage is setback 20 feet from the front property line. The livable space is setback approximately 35 feet and seven inches from the closest point of the residence to the front property line. This satisfies the required front-yard setback for the garage and livable space of the Live Oak Master Plan and R-L-5 Low-Density Residential standards.

Rear-Yard Setback:

The proposed residence is setback 22 feet and eight inches from the rear property line. The two-story structure does not satisfy the 25-foot required setback for the Hanford Municipal Code, however reduced setbacks in the Live Oak Master Plan have been allowed through Planned Unit Development 2005-04. The two-story structure setback satisfies the 20-foot rear-yard setback permitted through the Live Oak Development Master Plan.

Interior Side-Yard Setback:

The proposed residence is setback five feet from the interior side-yard property line. This satisfies the required interior side-yard setback of the Live Oak Master Plan and R-L-5 Low-Density Residential standards.

Street-Side Side-Yard Setback:

Per the requirements of the Live Oak Master Plan and the R-L-5 Low-Density Residential zone district, a 10 foot-side-yard setback shall be provided on the street-side property line. The applicant provides a five-foot side-yard setback along the property line adjoining Alpine Avenue. The applicant seeks a variance to the street-side setback area for the lot line adjoining Alpine Avenue. Staff is able to support the variance request, as demonstrated in the variance findings, below.

17.10.080 Distances Between Structures

Per the requirements of the Live Oak Master Plan and the R-L-5 Low-Density Residential zone district, the minimum distance between structures shall be 10 feet, except as provided by the building code. There is only one structure proposed on site. Future structures would be required to meet the provided separation requirements.

17.10.090 Height of Structures

Per the requirements of the Live Oak Master Plan, the maximum building height, measured from finished floor elevation, shall be as follows:

Primary Unit:	35 feet
Accessory Structure:	25 feet
Accessory structure with a Residential Unit:	30 feet

In the R-L-5 Low-Density Residential zone district, the maximum height of structures is 35 feet.

The proposed two-story residence is 17 feet and six and three quarter inches (17' 6 ¾"), measured from the grade to horizontal plate line height of the entry way, which does not exceed the required height of the Live Oak Master Plan or R-L-5 Low-Density Residential zone district.

17.10.100 Driveways

The width of a driveway and any paved area in the R-L-5 Low- Density Residential zone district shall not cumulatively exceed 40% of the width of the lot's street frontage on which the driveway and any paved area faces. On corner lots, the driveway shall be located on the side of the lot adjacent to the interior lot.

The driveway is 16-feet wide and is approximately 27% of the width of the lot's street frontage. Therefore, the proposed driveway does not exceed the required driveway standards of the R-L-5 Low-Density residential zone district. Driveway standards are not addressed in the Live Oak Master Plan.

17.10.130 Off-Street Parking

In the R-L-5 Low-Density Residential zone district, single-family dwellings shall provide a minimum of one covered and one uncovered parking space. Other uses shall provide parking as prescribed in Chapter [17.54](#).

According to the Live Oak Master Plan, two parking spaces shall be provided per unit. Spaces are required to be covered and provided within a garage or carport.

The applicant provides a two-car garage for the proposed residence.

17.10.140 Usable Open Space

In the R-L-5 Low-Density Residential zone district, each lot shall provide for a usable open space area of a minimum four hundred (400) square feet that is a minimum fifteen (15) feet wide.

Open space requirements are not addressed in the Live Oak Master Plan.

The applicant provides a 50-foot-by-22.75-foot (1,133 square feet) open space area in the backyard, which satisfied the requirement of the R-L-5 Low-Density Residential zone district.

17.10.150 Landscaping

In the R-L-5 Low-Density Residential zone district, except for driveways and approved parking areas, all yard areas and setback areas visible from the street(s) shall be landscaped with live plant materials and ornamentation common to the Hanford area, or up to 100% of the yard and setback area may be landscaped with artificial turf and other permeable surfaces. Required landscaping is to be installed within six (6) months after occupancy of the residence and continually maintained.

In accordance with the Live Oak Master Plan, 30% of the lot shall be landscaped. The applicant has submitted landscape plans for the Sterling Oaks subdivision consistent with the requirements of the Live Oak Master Plan.

All requirements of the R-L-5 Low-Density Density Residential zone district and the Live Oak Master Plan are satisfied, with the exception of the street-side side-yard setback requirement, for which a variance is sought.

Reasons for Setbacks

The City requires setbacks between for several reasons:

Safety:

Maintaining setbacks between buildings and uses is important for safety reasons. Having adequate setbacks between structures and uses provides access for the Fire Department to reach fires, in cases of emergency. In this case, the variance is applicable to the street-side side-yard setback area. There is not a concern regarding the separation of uses for Fire Department access.

The residential structure will be setback 13 feet from the sidewalk abutting Alpine Avenue, the setback is a combination of the five-foot setback and an eight-foot landscape lot.

Noise:

Setbacks also are in place to reduce noise impacts. The setback reduction pertains to the street-side lot line, which will not create noise issues. All noise generated from the property would be required to meet the Noise Emission standards prescribed by the General Plan.

Preventing Crowding:

Another reason setbacks are required by the City is to reduce crowding and provide separation between uses and structures.

The reduction of the street-side side-yard setback will not create a crowding issue, since it will not affect the distance between the proposed residential structure and any other nearby structure. Additionally, a block wall will be provided between the residence and the public street, further separating uses.

There is an eight-foot landscape lot with a block wall along the street-side side-yard lot line on Alpine Avenue. The block wall and landscape easement will serve to provide significant distance between the residence and the public right-of-way.

Providing Open Space Areas:

Within the City of Hanford, there are requirements for open space – this is generally accommodated in the required setback area. The applicant provides an adequate open-space area in the rear property, which totals 1,133 square feet, which far exceeds the required 400-square-foot open-space requirement for the R-L-5 Low-Density Residential zone district.

Allowing the variance will not have impacts to safety, noise, the prevention of crowding, or providing open space areas.

In accordance with Section 17.84.010, the purpose of a variance is to allow deviations from the development standard 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 granting of Variance No. 2022-07 would be consistent with the purpose of the variance process, as the special circumstance applicable to the property pertains to the configuration of the corner lot. Although the has street frontage on two streets, Autumn Breeze Court and Alpine Avenue, the site is only accessible through the Autumn Breeze Court frontage, since there is a block wall and landscape lot along the Alpine Avenue frontage. The limited frontage from one side is similar to an interior lot, for which there is only a five-foot setback.

Two variances were previously approved by the Planning Commission for the same request in the Live Oak subdivision Tract 865 on October 26, 2021 – Variance 2021-05 and 2021-06.

FINDINGS FOR APPROVAL

Variance No. 2022-07

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 circumstances applicable to the property pertains to the configuration of the corner lot. Although the has street frontage on two streets, Autumn Breeze Court and Alpine Avenue, the site is only accessible through the Autumn Breeze Court frontage, since there is a block wall and landscape easement along the Alpine Avenue frontage. The limited frontage from one side is similar to an interior lot, for which there is only a five-foot setback.

Additionally, previous variances 2021-05 and 2021-06 were approved in the same subdivision for the same request.

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 the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the vicinity in the same zone district. Although the property has frontage on two public streets, since the property only has access through one frontage, Autumn Breeze Court, the lot is similar to an interior lot. Interior lots are only required to provide a five-foot setback, versus corner lots, which require a 10-foot street-side setback.

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 allowing the reduced street-side side-yard setback will not create a safety hazard. The residential structure will be setback 13 feet from the sidewalk adjoining Alpine Avenue, the setback is a combination of an eight-foot landscape easement and a five-foot setback. The various departments reviewed the proposal and conditioned the project, accordingly.

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 typical R-L-5 Low-Density Residential lots do not share the configuration unique to this lot. Although the property has street frontage on two public streets, since the property only has access through one frontage, Autumn Breeze Court, the lot is similar to an interior lot. Interior lots are only required to provide a five-foot setback, versus corner lots, which require a 10-foot street-side setback. Since the property is not accessible through the Alpine Avenue frontage, the street-side side-yard setbacks are not necessary.

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 the variance applies to the street-side side-yard setback area for a single-family residence. The use of a single-family residence is a permitted use in the R-L-5 Low-Density Residential 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 the property pertains to the configuration of the lot. Although the property has street frontage on two streets, Autumn Breeze Court and Alpine Avenue, the site is only accessible through the Autumn Breeze Court frontage, since there is a block wall and landscape easement along the Alpine Avenue frontage. The limited frontage from one side is similar to an interior lot, for which there is only a five-foot setback.

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, Residential Land Use Designations Goal L8, which aims to provide a range of residential building types suitable for a variety of lifestyles, ages, affordability levels, and design options.

PUBLIC COMMENTS

A Notice of Public Hearing for the project was noticed in the local newspaper on July 1, 2022 and mailed to property owners within 300 feet of the project site on June 30, 2022. 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 15303, New Construction or Conversion of Small Structures 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**.

RECOMMENDATION

Staff recommends that the Planning Commission:

1. Adopt Resolution No. 2022-23, approving Variance No. 2022-07.

Applicant/Owner:

San Joaquin Valley Homes
5607 Avenida de los Robles
Visalia, CA 93291

RESOLUTION NO. 2022-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HANFORD APPROVING VARIANCE NO. 2022-07, A REQUEST TO DEVIATE FROM THE STANDARDS OF THE HANFORD MUNICIPAL CODE SECTION 17.10.070 E, IN ORDER TO REDUCE THE STREET-SIDE SETBACK FOR AN IRREGULAR CORNER LOT IN THE R-L-5 LOW-DENSITY RESIDENTIAL ZONE DISTRICT. THE PROJECT IS LOCATED AT 1302 AUTUMN BREEZE COURT (APN 011-110-029). THE SUBJECT SITE IS LOT 168 OF TRACT 865, WHICH HAS NOT BEEN ASSIGNED ITS OWN ASSESSOR'S PARCEL NUMBER YET.

At a regular meeting of the City of Hanford Planning Commission duly called and held on July 12, 2022 on motion of Commissioner _____, seconded by Commissioner _____, and duly carried, the following resolution was adopted:

WHEREAS, Variance No. 2022-07, a request to deviate from the standards of the Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for an irregular corner lot in the R-L-5 Low-Density Residential zone district, as shown in **Exhibit A**, has been reviewed by the Planning Commission of the City of Hanford in accordance with Title 17.84 of the Hanford Municipal Code; and

WHEREAS, the project is located at 1302 Autumn Breeze Court (APN 011-110-029). The subject site is lot 168 of Tract 865, which has not been assigned its own assessor's parcel number yet; and

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

WHEREAS, the project is exempt from environmental review, per Section 15303 New Construction and Conversion of Small Structures 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 17.84.050 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 circumstances applicable to the property pertains to the configuration of the corner lot. Although the has street frontage on two streets, Autumn Breeze Court and Alpine Avenue, the site is only accessible through the Autumn Breeze Court frontage, since there is a block wall and landscape easement along the Alpine Avenue frontage. The limited frontage from one side is similar to an interior lot, for which there is only a five-foot setback.

Additionally, previous variances 2021-05 and 2021-06 were approved in the same subdivision for the same request.

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 the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the vicinity in the same zone district. Although the property has frontage on two public streets, since the property only has access through one frontage, Autumn Breeze Court, the lot is similar to an interior lot. Interior lots are only required to provide a five-foot setback, versus corner lots, which require a 10-foot street-side setback.

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 allowing the reduced street-side side-yard setback will not create a safety hazard. The residential structure will be setback 13 feet from the sidewalk adjoining Alpine Avenue, the setback is a combination of an eight-foot landscape easement and a five-foot setback. The various departments reviewed the proposal and conditioned the project, accordingly.

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 typical R-L-5 Low-Density Residential lots do not share the configuration unique to this lot. Although the property has street frontage on two public streets, since the property only has access through one frontage, Autumn Breeze Court, the lot is similar to an interior lot. Interior lots are only required to provide a five-foot setback, versus corner lots, which require a 10-foot street-side setback. Since the property is not accessible through the Alpine Avenue frontage, the street-side side-yard setbacks are not necessary.

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 the variance applies to the street-side side-yard setback area for a single-family residence. The use of a single-family residence is a permitted use in the R-L-5 Low-Density Residential 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 the property pertains to the configuration of the lot. Although the property has street frontage on two streets, Autumn Breeze Court and Alpine Avenue, the site is only accessible through the Autumn Breeze Court frontage, since there is a block wall and landscape easement along the Alpine Avenue

frontage. The limited frontage from one side is similar to an interior lot, for which there is only a five-foot setback.

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, Residential Land Use Designations Goal L8, which aims to provide a range of residential building types suitable for a variety of lifestyles, ages, affordability levels, and design options.

THEREFORE, BE IT RESOLVED that Variance No. 2022-07 be approved, subject to the conditions of approval, below:

1. That the subject site be developed, as shown in Exhibit A – FY22-2446.
2. That all development shall conform to the standards of the Hanford Municipal Code, except where modified by the Live Oak Master Plan Design Standards and this resolution.

EXPIRATION

That this Variance 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, **Mary E. Beatie**, Interim 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 12th day of July 2022.

Mary E. Beatie, Interim Secretary

Exhibit A
FY22-2446

Attachment: Resolution 2022-23 (Variance 2022-07 1302 Autumn Breeze Ct)



San Joaquin Valley
HOMES

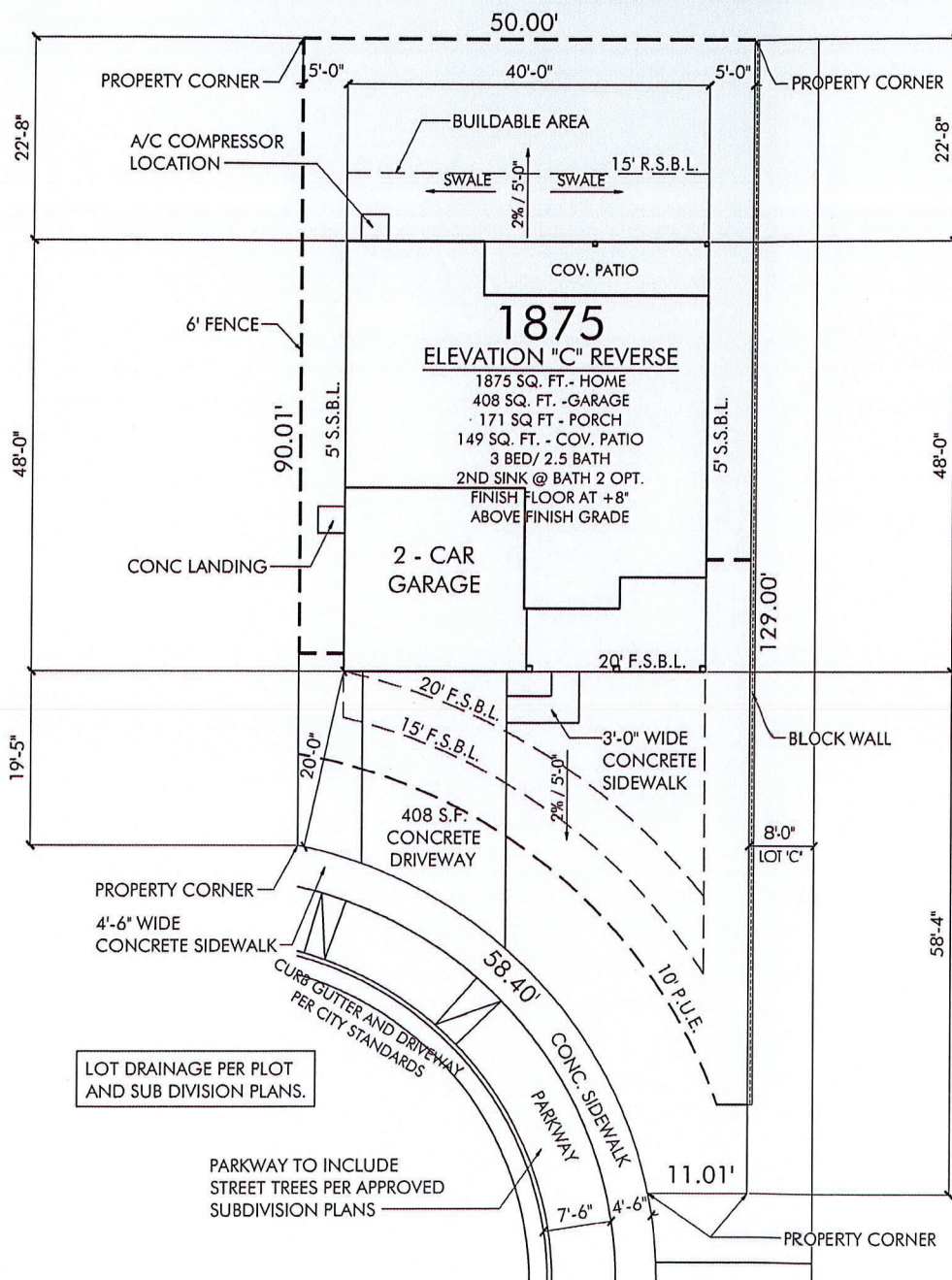
5607 AVE DE LOS ROBLES
VISALIA, CA 93291
Voice 559-732-2660

LANDSCAPING REQUIREMENTS:

1. 6 CUBIC YARDS 3" THICK LAYER OF LANDSCAPE MULCH
2. 25% WITH MAXIMUM 500 SQ. FT. WARM SEASON BERMUDA GRASS TURF

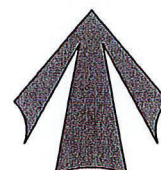
I AGREE TO COMPLY WITH THE MWEO PRESCRIPTIVE COMPLIANCE OPTION

- 1482 SF FRONT YARD LANDSCAPE - TURF NOT TO EXCEED 371 SF
- 440 SF FRONT YARD HARDSCAPE



SITE PLAN

ADDRESS: 1302 S. AUTUMN BREEZE CT.
APN:



NORTH
1" = 20'

LOT: 168

HIDDEN OAKS TRACT NO. 865

HANFORD

ALL DIMENSIONS SHOWN ARE WITHIN +/- .3%

BUYERS SIGNATURE _____

APPROVAL DATE 20 3/29/2022

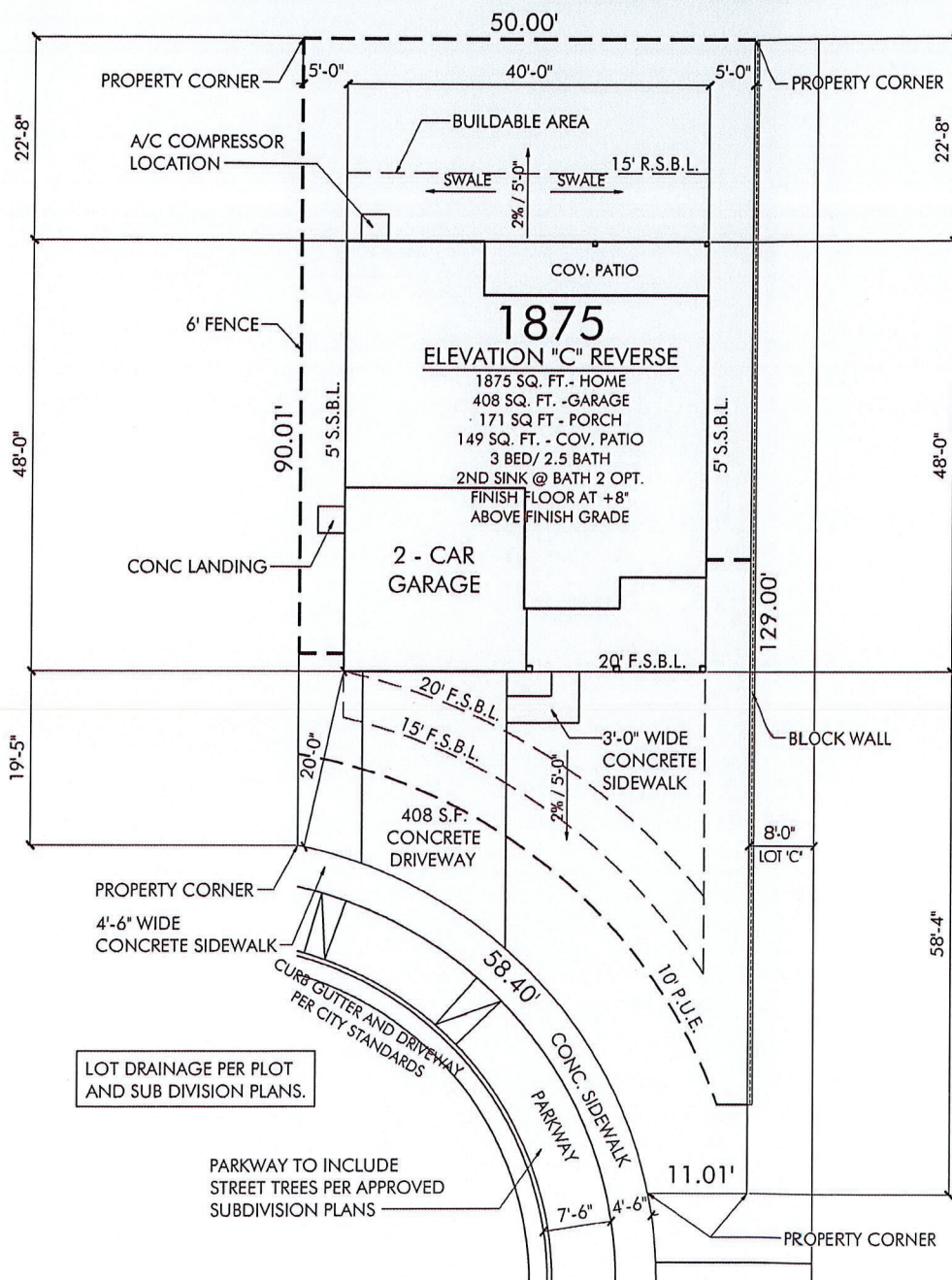
San Joaquin Valley HOMES

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APN:

LOT: 168

HIDDEN OAKS TRACT NO. 865

HANFORD

ALL DIMENSIONS SHOWN ARE WITHIN +/- 3%

BUYERS SIGNATURE

APPROVAL DATE 20 3/29/2022

Packet Pg. 76

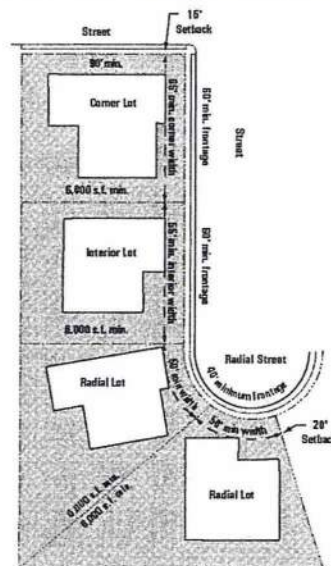
Chapter 3

Table 3.3 Low Density Residential (LD) Standards

Land Use	Low Density Residential
Base Zone District	R-1-6 R-L-5
Density Range	3-9 Dwelling units/gross acre 2-10 Dwelling units/gross acre
Permitted Use	HMC Section 17-18-020 17.10
Administrative Approval	HMC Section 17-18-030 17.10
Conditional Uses	HMC Section 17-18-040 17.10

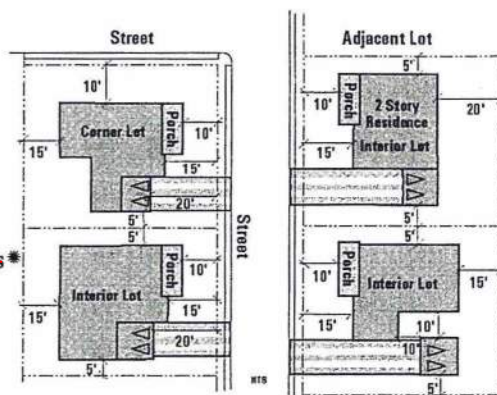
Lot Configuration

Lot Area	5,000 6,000 square feet minimum
Width	
Interior Lot	55 feet minimum (Measured at front yard setback)
Corner Lot	65 feet minimum (Measured at front yard setback)
Radial Lot	50 feet minimum (Measured at front yard setback)
Depth	90 feet minimum
Frontage	55 feet minimum (local streets) (Measure at the edge of ROW) 40 feet minimum (radial streets) (Measure at the edge of ROW)
Lot Coverage	40% maximum
Landscaping	30% of lot minimum



Setbacks

Front Yard	
Covered Porch	10 feet minimum
Living Space	15 feet minimum
Garage	20 feet minimum
Side Yard	
Interior	5 feet minimum
Corner (Street Side)	10 feet minimum
Corner (Street Side)	15 feet minimum at collector streets *
Garage (Side Entry)	20 feet minimum
Covered Porch	10 feet minimum
Rear Yard (one-story)	15 feet minimum
Multi-Story	5 feet additional per story



Accessory Structures 5 feet from rear or side property line
(When located in the rear yard)

Distance Between Buildings 10 feet minimum, or allowed per the Building Code

* Collector Streets are as defined by City of Hanford Municipal Code

Public Review Draft

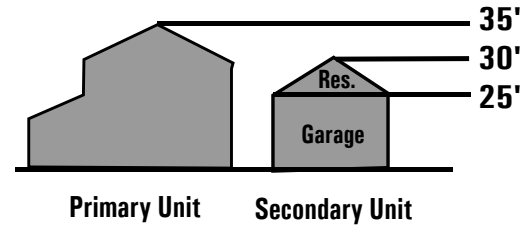
LIVE OAK
master plan

Land Use & Neighborhood Design

Building Heights

Primary Unit
Accessory Structure
With Res. Unit

Measured from finished floor elevation
35 feet maximum
25 feet maximum
30 feet maximum



Off Street Parking

Parking Requirement 2 spaces/unit minimum (4 spaces/unit if no street driveway access)
(Minimum two covered spaces within a garage or carport)

Garages

Refer also to Section 3.3.6

~~Coverage 50% maximum of first floor front elevation~~

Front Loaded Garage

Front Yard Setback 20 feet minimum
Corner Side Yard Setback 20 feet minimum

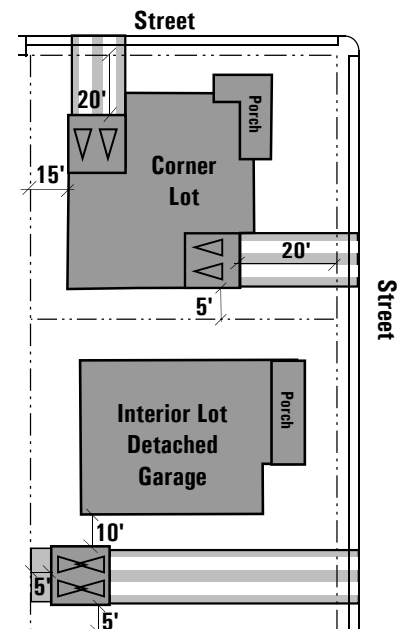
Detached Garage

Side Yard (Interior) 5 feet minimum
Side Yard (Street side) 20 feet minimum

Rear Yard

5 feet minimum
(setback a min. of 15' from alley centerline)

Note: When alley is available, no front loaded garage is allowed. (Refer to Residential policy F. and Garage Design Guidelines E.)



Porches

Refer also to Section 3.3.7

Requirement

60% of all units

Fencing and Walls

Refer also to Section 3.3.8

Within Setbacks

Front and Side Yard

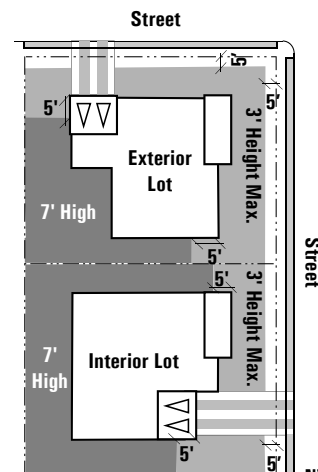
3 feet maximum height (Must be 5' minimum behind property line and a minimum of 50% transparent)

Rear and Side Yard

7* feet maximum height
(Along rear and side property line when setback a minimum of 5' behind leading edge of house)

Along Alley

7* feet maximum height
(Along rear property, setback 3 feet minimum from alley Right of Way.)



*As per city standards.



Notice of Exemption 2022-61

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 No. 2022-06

Project Location – The project is located at 1302 S. Autumn Breeze Court. (APN 011-110-029). The subject site is lot 168 of Tract 865, which has not been assigned its own assessor's parcel number yet. The APN provided is for the parcel, overall, pre-subdivision.

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

Description of Nature, Purpose and Beneficiaries of Project: **Variance No. 2022-07**, a request to deviate from the standards of the Hanford Municipal Code Section 17.10.070 E, in order to reduce the street-side setback for an irregular corner lot in the R-L-5 Low-Density Residential zone district.

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

Name of Person or Agency Carrying Out Project: San Joaquin Valley Homes

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 New Construction and Conversion of Small Structures
☐ 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 15303 New Construction or Conversion of Small Structures of California Environmental Quality Act (CEQA) guidelines, the project is categorically exempt from future environmental review. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The proposed project will not result in cumulative impacts of successive projects of the same type in the same place, is not located within or near a scenic highway, road, or corridor, is not located on a hazardous waste site, and does not involve any change to a historical resource.

Lead Agency Contact Person: Gabrielle Myers Area Code/ Telephone: (559) 585-2578

Signature: _____ Date: July 12, 2022 Title: Senior Planner

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



AGENDA STAFF REPORT

MEETING DATE: 7/12/2022	AGENDA SECTION: 6
--------------------------------	--------------------------

SUBJECT:

Finding of General Plan Consistency for the declaration of surplus and disposition of real city property for the exclusive use as a hotel parking lot, located at the southeast corner of Sixth and Redington Streets (APN 012-086-004).

See staff report, attached.

FISCAL IMPACT:

ATTACHMENTS:

GP Finding of Consistency - Comfort Inn Parking Lot
Attachment 1 - Notice of Exemption

**CITY OF HANFORD PLANNING COMMISSION
STAFF REPORT
July 12, 2022**

PROJECT: Finding of General Plan Consistency for the declaration of surplus and disposition of real city property for the exclusive use as a hotel parking lot, located at the southeast corner of Sixth and Redington Streets (APN 012-086-004).

STAFF RECOMMENDATION

Staff recommends that the Planning Commission find that the declaration of the property as surplus and disposition of the property for exclusive use as a hotel parking lot is consistent with the 2035 General Plan, adopted April 24, 2017, in accordance with Government Code Section 65402.

RECOMMENDED MOTION

I move to find the declaration of surplus and disposition of the property for exclusive use as a hotel parking lot, is consistent with the General Plan, adopted April 24, 2017, in accordance with Government Code Section 65402.

BACKGROUND

The subject property is located on the southeast corner of Sixth and Redington Streets (APN 012-086-004) and is the location of a current city-owned public parking lot. See the property aerial, shown in Figure 1.

Figure 1: Property Aerial



The City of Hanford has received interest from A2Z, LLC, the current leasee of the Comfort Inn Hanford Lemoore, to purchase the 75-stall public parking lot from the City, in order to privately utilize the parking lot for exclusive use by the hotel's staff and patrons. The City and Hanford Investors, Inc., the owner of the hotel, have a lease agreement for use of the public lot during the day and exclusive use of the parking lot between the hours of 6:00 p.m. and 8:00 a.m. The parking lot lease has been assigned from Hanford Investors, Inc. to A2Z, LLC. A2Z, LLC has a lease with an option to purchase the Comfort Inn from Hanford Investors, Inc. A2Z, LLC is in the process of purchasing the hotel.

The Comfort Inn was built in 2000. The parking lot lease was negotiated by the City at the time the hotel was constructed, since the parking required for the hotel use could not be developed on site in the area purchased from the City for the hotel's development. The intent of the parties was for the parking lot to serve as the hotel's off-street parking.

Although currently a public lot between the hours of 8:00 a.m. to 6:00 p.m., due to its location and proximity, the parking lot is generally utilized by the hotel's patrons.

Following interest from A2Z, LLC in purchasing the public parking lot from the City of Hanford, management consulted with Michelle Brown, the executive director of Main Street Hanford to gauge the necessity of the lot for public use and to determine if the downtown organization had objection to the sale. Michelle Brown confirmed that the organization did not object to the sale of the lot for exclusive use by the hotel.

If sold, the funds from the sale of the public parking lot would be set aside in the City's parking fund and the monies can be utilized for the acquisition of replacement property on which a downtown parking structure may be built. Therefore, the proceeds from the sale of the public parking lot, which is currently underutilized and inaccessible during nighttime hours by the general downtown public, would be earmarked for a project that would provide for a greater parking benefit to the downtown area.

The public parking lot east of the hotel is on a separate parcel and will remain for public use.

The site is designated in the General Plan as Downtown Mixed Use (see Figure 2) and zoned MX-D Downtown Mixed Use (see Figure 3), in accordance with the General Plan.

Figure 2: General Plan Designation (outlined in red)
Downtown Mixed Use

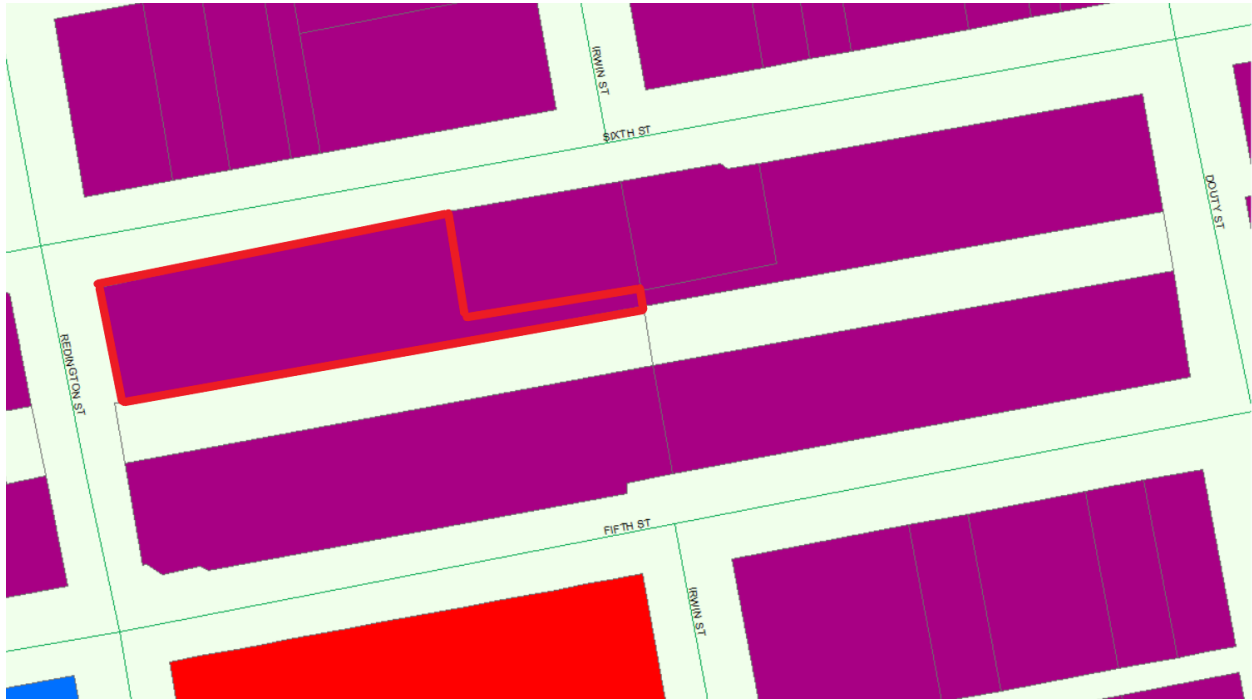
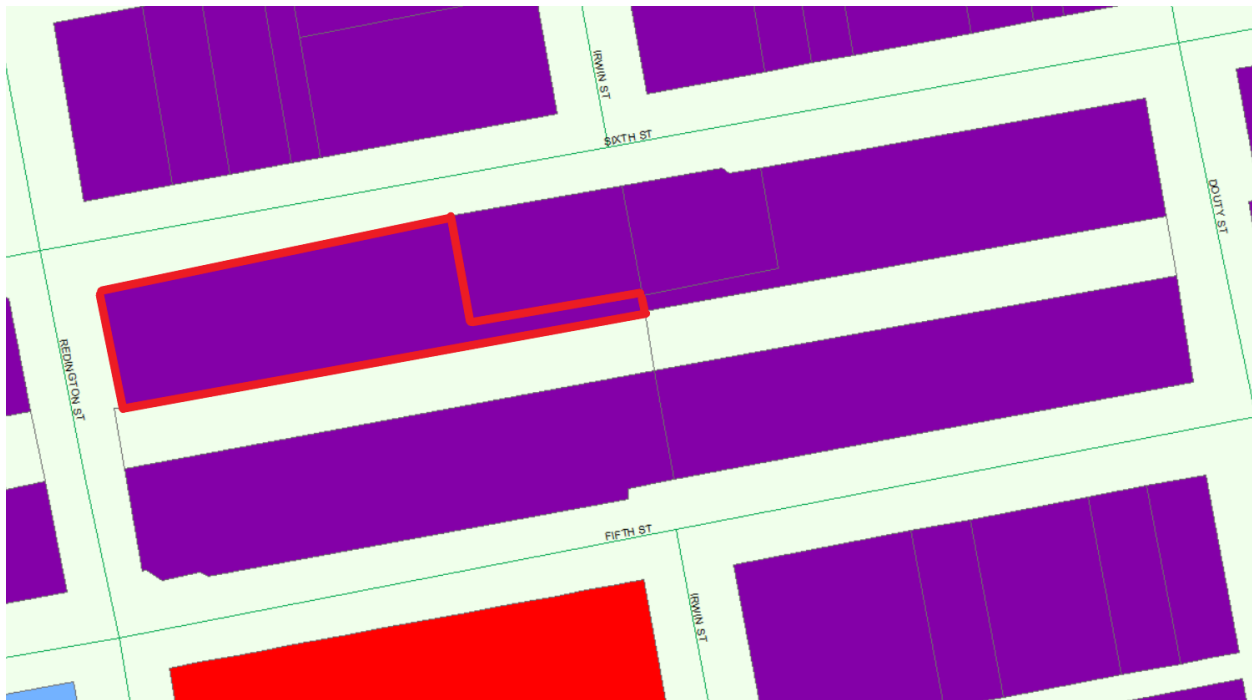


Figure 3: Zoning (outline in red)
MX-D Downtown Mixed Use



PROJECT EVALUATION

Project Proposal

The City of Hanford has received interest from the owner of the Comfort Inn Hanford Lemoore to purchase the 75-stall public parking lot, in order to privately utilize the parking lot for exclusive use by the hotel's patrons. In accordance with Government Code Section 65402, in order for the City to lease or sell the parcel to the Comfort Inn owner, the City will need to declare the property surplus and obtain a finding of consistency with the General Plan from the Planning Commission.

General Plan Consistency

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

The following goals and policies are excerpts from the 2035 General Plan, adopted April 24, 2017. They are applicable with respect to the proposed property disposition and support the disposition of the property for use as a private parking lot, provided the funds resulting from the sale would be exclusively reserved for acquisition and development of a parking structure for use by the greater downtown public.

Policy E35 Downtown Infrastructure Improvements

Maintain parking, lighting, landscaping, sidewalk and other public improvements that support business activity and movement in the Downtown.

Policy E38 Downtown Parking

City to provide adequate shared public parking in the downtown area to encourage greater land use density.

3.6.3 Downtown Mixed use

Policy L69 Purpose of Downtown Mixed Use Land Use Designation

Establish the Downtown Mixed Use land use designation as a unique pedestrian-oriented, multi-story, concentrated area of shopping, entertainment, eating establishments, high density housing, and offices primarily served by on-street or public parking concentrated in the historic center of Hanford to serve the entire community.

Policy L130 Downtown Off-street Parking

Provide public off-street parking facilities within the Downtown.

4.4 Parking

Vehicle parking policies encourage efficient and adequate parking, avoid negative effects on the pedestrian environment or surrounding neighborhoods and support the City's goals for complete streets, walkability, bikeability and effective transit.

Parking Goal

Goal T7: Adequate parking and loading facilities, especially in the Downtown.

4.4.1 Public Parking

Policy T60 Downtown Public Parking

Work with Downtown property owners and organizations to maintain an adequate supply of shared, public parking in the Downtown.

Analysis: The General Plan goals and policies highlight the need to maintain and develop public parking facilities. If sold, the proposal would convert an existing public lot to an exclusively private parking lot. However, the sale of the public lot, which prohibits public use between the hours of 6:00 p.m. and 8:00 a.m., would benefit the downtown parking fund and support the General Plan's goals and policies by providing funds for future development of a public parking facility that would better serve the downtown public by unrestricted hours of use. Therefore, the declaration of the property as surplus and the disposition of the property is consistent with the General Plan, with the stipulation that the funds from the parking lot's sale be reserved for the downtown parking fund.

PROCESS

In accordance with Government Code Section 65402, the following steps must be taken, in order to complete the request proposed:

1. Planning Commission must determine that the declaration of the property as surplus and disposition of the property is consistent with the General Plan.
2. The City Council must declare the property as surplus and instruct staff to send notice to the required public entities and agencies.
3. Staff prepares and mails notice of the surplus property to the necessary housing, open space, and school entities and agencies for a 60-day notice period.
4. Following the 60-day notice period, if none of the notified agencies or entities express interest in the property, the disposition of the property can be approved by the City Council, as requested.

FUTURE REVIEWS AND ACTIONS

A Planning Commission finding that declaration of the property as surplus and the disposition of the property is consistent with the General Plan in no way serves as any prior/pre-approval or commitment to future approvals of a development project. The role of the Planning Commission is to find the declaration as surplus and disposition of the property is consistent with the 2035 General Plan in accordance with Government Code Section 65402, it is not approval or recommendation of approval to sell or lease the land.

ENVIRONMENTAL ASSESSMENT

Pursuant to Section 15312 of the California Environmental Quality Act Guidelines (CEQA), the sale of surplus government property is considered exempt from further environmental review, see **Attachment 1**.

Notice of Exemption 2021-58

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: Declaration of Surplus/Disposition of Real Property

Project Location – southeast corner of Sixth and Redington Streets
(APN 012-086-004).

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

Description of Nature, Purpose and Beneficiaries of Project: The declaration as surplus and disposition of real property located at the southeast corner of Sixth and Redington Streets (APN 012-086-004) for use as a private parking lot for a hotel. The site is currently a semi-public parking lot available to the public between the hours of 8:00 a.m. and 6:00 p.m. and reserved for private use by the hotel between the hours of 6:00 p.m. and 8:00 a.m.

Name of Public Agency Approving Project: City of Hanford

Name of Person or Agency Carrying Out Project: City of Hanford

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: **15312 Surplus Government Property Sales**
☐ 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 15312 of the California Environmental Quality Act (CEQA) Guidelines. Class 12 consists of sales of surplus government properties, except for parcels of land located in an area of statewide, regional, or areawide concern, identified in Section 15206 (b)(4). The property is not located in an area of statewide, regional, or areawide concern.

Lead Agency

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

Signature: _____ Date: July 12, 2022 Title: Senior Planner

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