

AGENDA

ORANGE COVE PLANNING COMMISSION MEETING

TUESDAY, SEPTEMBER 15, 2015

REGULAR MEETING AT 6:30 P.M.

Orange Cove Council Chambers

633 6th Street,

Orange Cove, California 93646

Coy Weldon, Chairman

Rev. Rick Applegarth, Planning Commissioner - Vicky Alvarado, Planning Commissioner

Rick E. Alonso, Planning Commissioner – Charles Lopez, Planning Commissioner

A. Call to Order/Welcome

1. Roll Call
2. Flag Salute

B. Confirmation of Agenda

(Materials regarding an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 633 6th Street, Orange Cove, CA 93646 during normal business hours.)

C. Consent Calendar

1. Planning Commission Minutes of March 24, 2015
2. Planning Commission Minutes of September 1, 2015

D. Administration

City Clerk

1. **SUBJECT:** Administer the Oath of Office to the newly appointed Planning Commissioners to serve until October 9, 2017 (Vicky Alvarado, Rick Alonso and Charles Lopez)

Recommendation: Informational Item Only

City Engineer

2. **SUBJECT: PUBLIC HEARING --** General Plan Amendment 2015-01 and Rezone amendment 2015-01: Update and Revision of the General Plan Land Use Map and Zoning Map and Zoning Map Recommendations and Proposed Zoning Ordinance and General Plan Revisions

Recommendation: Staff recommends that the Orange Cove Planning Commission approve the Resolution recommending that the City Council Approve the General Plan Amendment 2015-01 and Rezone Amendment 2015-01

3. **SUBJECT:** Consideration and Discussion regarding the United Health Centers Conditional Use Permit 2015-02

Recommendation: Staff recommends that the Planning Commission take the following action:

1. Find that the free-standing sign is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15305.
2. Adopt the attached Resolution approving Conditional Use Permit 2015-02

E. Adjournment

Public Comment: Members of the public shall have an opportunity to address the City Council concerning this matter.

ADA Notice: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (559) 626-4488 ext. 214. Notification 48 hours prior to the meeting will enable the City to make arrangements to ensure accessibility to this meeting.

Documents: Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at front counter at City Hall and at the Orange Cove Library located at 815 Park Blvd., Orange Cove, CA during normal business hours. In addition, most documents are posted on City's website at cityoforangecove.com.

NOTICE

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the public entity conducting the hearing at, or prior to, the public hearing. (Government Code Section 65009.)

STATEMENT ON RULES OF DECORUM AND ENFORCEMENT

The Brown Act provides that members of the public have a right to attend public meetings, to provide public comment on action items and under the public forum section of the agenda, and to criticize the policies, procedures, or services of the city or of the acts or omissions of the city council. The Brown Act also provides that the Planning Commission has the right to exclude all persons who willfully cause a disruption of a meeting so that it cannot be conducted in an orderly fashion.

During a meeting of the Orange Cove Planning Commission, there is a need for civility and expedition in the carrying out of public business in order to ensure that the public has a full opportunity to be heard and that the Commissioners has an opportunity to conduct business in an orderly manner. The following is provided to place everyone on notice of the rules of decorum and enforcement.

GENERAL RULES OF DECORUM

While any meeting of the Planning Commission is in session, the following rules of decorum shall be observed:

1. All remarks shall be addressed to the Planning Commission as a whole and not to any single member, unless in response to a question from a member of the City Council.
2. A person who addresses the Planning Commission under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct (i) which is likely to provoke others to violent or riotous behavior, (ii) which disturbs the peace of the meeting by loud and unreasonable noise, (iii) which is irrelevant or repetitive, or (iv) which disrupts, disturbs, or otherwise impedes the orderly conduct of any Planning Commission meeting.
3. A person, other than members of the Planning Commission and the person who has the floor, shall not be permitted to enter into the discussion unless requested by the Chairman to speak.
4. Members of the Planning Commission may not interrupt a person who has the floor and is making public comments. Members of the Planning Commission shall wait until a person completes his or her public comments before asking questions or commenting. The Chairman shall then ask the Planning Commissioners if they have comments or questions.
5. No person in the audience at a Planning Commission meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Planning meeting.

ENFORCEMENT OF DECORUM RULES

While the Planning Commission is in session, all persons must preserve order and decorum. A person who addresses the Planning Commission under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct which is likely to provoke others to violent or riotous behavior, which disturbs the peace of the meeting by loud and unreasonable noise, which is irrelevant or repetitive, or which disrupts, disturbs, or otherwise impedes the orderly conduct of any Planning meeting.

The Chairman or other presiding officer shall request that a person who is breaching the rules of decorum cease such conduct. If after receiving such a warning, the person persists in breaching the rules of decorum, the Chairman or other presiding officer may order the person to leave the City Council meeting. If such person does not leave, the

Chairman or presiding officer may request any law enforcement officer who is on duty at the meeting as sergeant-at-arms to remove the person from the Council Chambers. In the event there is no one from law enforcement present, the Chairman or presiding officer may direct the City Manager to contact law enforcement.

In accordance with the Point of Order Rule 4.6, the majority of the Planning Commission may overrule the Chairman if the majority of the Planning Commission believes the Chairman or other presiding officer is not applying the rules of decorum appropriately.

MINUTES
ORANGE COVE PLANNING COMMISSION MEETING
TUESDAY, MARCH 24, 2015
SPECIAL MEETING AT 6:30 P.M.

Orange Cove Council Chambers
633 6th Street,
Orange Cove, California 93646

Coy Weldon, Planning Commissioner
Rev. Rick Applegarth, Planning Commissioner
Benjamin Camarillo, Planning Commissioner
Inez Castillo, Planning Commissioner

A. Call to Order/Welcome

1. Roll Call: Present: Weldon, Applegarth and Camarillo
Absent: Castillo

2. Flag Salute Led by Chairman Coy Weldon

B. Confirmation of Agenda

(Materials regarding an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 633 6th Street, Orange Cove, CA 93646 during normal business hours.)

No Changes.

C. Administration

CITY ENGINEER

1. **SUBJECT:** Abandonment of Various Alley and Street Rights of Way

Recommendation: Planning Commission to consider approving Resolution No. PC 2015-01 Declaring conformity with the adopted General Plan of the Proposed Abandonment of various alley and street rights of way

Upon the motion by Member Applegarth and seconded by Member Camarillo, the Planning Commission approved Resolution No. PC 2015-01 Declaring conformity with the adopted General Plan of the Proposed Abandonment of various alley and street rights of way

2. **SUBJECT:** Conditional Use Permit 2015-01 Orange Cove Smog

Recommendation: Staff is recommending that the Planning Commission conduct a public hearing to receive testimony and then adopt the attached Resolution approving Conditional Use Permit 2015-01 allowing vehicle towing and storage in the C-3 District

Member Applegarth felt that putting a block fence would be expensive and we are not enforcing other types of businesses to have a block fence.

Chairman Coy Weldon opened the Public Hearing.

Mr. Lopez owner of the Smog Shop for the last eleven years. Stated that a block fence would be expensive and may want to place one in the near future.

Chairman Coy Weldon closed the Public Hearing.

Upon the motion by Chairman Coy Weldon and seconded by Member Rick Applegarth, the Planning Commission approved to adopt the Resolution approving the Conditional Use Permit 2015-01 allowing vehicle towing and storage in the C3 District and to eliminate the block fence.

D. Adjournment

Chairman Coy Weldon adjourned the Planning Commission Meeting at 7:20 p.m.

RESPECTFULLY SUBMITTED:

June V. Bracamontes, City Clerk

PRESENTED TO PLANNING COMMISSION:

DATE: _____

ACTION: _____

MINUTES
ORANGE COVE PLANNING COMMISSION MEETING
TUESDAY, SEPTEMBER 1, 2015
REGULAR MEETING AT 6:30 P.M.

Orange Cove Council Chambers
633 6th Street,
Orange Cove, California 93646

Coy Weldon, Planning Commissioner
Rev. Rick Applegarth, Planning Commissioner
Benjamin Camarillo, Planning Commissioner

A. Call to Order/Welcome

Planning Commissioners Present:

Chairman Coy Weldon
Rev. Rick Applegarth
Vicky Alvarado

Staff Present:

City Engineer Gary Horn
City Clerk June V. Bracamontes
Building Official Ray Hoak

Flag Salute

Led by Chairman Coy Weldon

B. Confirmation of Agenda

(Materials regarding an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 633 6th Street, Orange Cove, CA 93646 during normal business hours.)

No Changes.

C. Administration

CITY ENGINEER

1. **SUBJECT:** Workshop – General Plan and Zoning Map Recommendations and Proposed Zoning Ordinance and General Plan Revisions

Recommendation: Commission to review report and provide input

City Engineer Gary Horn and Building Official Ray Hoak presented to the Planning Commissioners the Zoning Map and General Plan Map prepared by Bruce O'Neal; and the Zone District and Land Use Map provided by Building Official Ray Hoak.

The proposed changes in the General Plan and Zoning Maps and Ordinances were presented.

The current zoning map is out of date and does not reflect recommendations contained in the last update of the General Plan. Owners who wish to improve their property are faced with the requirement for a general plan revision or change in zoning, which are time-consuming and expensive. Staff feels this is the most important need that needs to be addressed.

The workshop allows staff to present the proposed changes to the Planning Commissioners for discussion and information before the public hearing to be held on September 15, 2015.

D. Adjournment

Chairman Coy Weldon adjourned the Planning Commission workshop at 7:30 p.m.

RESPECTFULLY SUBMITTED:

PRESENTED TO PLANNING COMMISSIONERS:

DATE: _____

ACTION: _____



MEMORANDUM

TO: Orange Cove Planning Commission
FROM: Gary D. Horn, City Engineer
DATE: September 15, 2015
RE: Conditional Use Permit 2015-02
United Health Centers

BACKGROUND

This Conditional Use Permit request is for the existing United Health Centers facility at 445 11th Street. The proposed free-standing sign is located on the northeast corner of Twelfth Street and 'E' Street.

PROPOSAL

United Health Centers has submitted a Conditional Use Permit Application to allow for the installation of one free standing sign on the southwest corner of their property.

DISCUSSION

Land Use and Zoning: The subject property is zoned PF- Public Facilities. Section 17.42.050 (Property Development Standards) of the Zoning Ordinance for PF zone, refers to Section 17.12 (R-1-6 district) for the regulation of signs. Section 17.12 refers to Section 17.08.180 (Outdoor Advertising) in the R-A (single family residential agricultural district) zone district for sign standards.

Section 17.08.189 limits the surface area of the sign to 30 sq. ft. and the height to 8 feet.

The proposed one-sided sign, as depicted in the attached exhibits, has a surface area of 100 square feet and a height of 15 feet. The sign will have an 8' diameter United Health Centers logo. The white letters and white logo on the sign will be the only areas illuminated. The sign will be located on the southwest corner of the property at the northeast corner of 12th and 'E' Streets, in the landscaped area behind the sidewalk.

This property is surrounded by M-1 (light industrial) zoned land and staff does not feel that the Zoning Ordinance intended to restrict signs in the PF zone district to meet R-A

15-351

zone district sign standards. The M-1 zone district has no restrictions on the surface area or height of a sign. The Family Dollar store at the northeast corner of 12th Street and Park Blvd, is zoned C-3 (central business and shopping). The Planning Commission approved their sign in 2012, which has a surface area of 88 sq. ft. and a height of 18 feet.

The size and location of the United Health Centers sign will be in conformance with standards of the commercial and industrial zone districts and will not interfere with visibility of the intersection or any adjacent properties.

The granting of the Conditional Use Permit will not conflict with the intent of the General Plan.

CEQA: Staff has determined that this proposal is a 'Class 11, - Construction or placement of minor structures accessory to existing facilities (e.g., signs, small parking lots, portable structures), Categorical Exemption' under the CEQA guidelines.

Notice: Property owners within three hundred feet of this site have been mailed notices for this application and Public Hearing.

The Planning Commission action on the Conditional Use Permit will be final unless appealed to the City Council

RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

1. Find that the free-standing sign is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15305.
2. Adopt the attached Resolution approving Conditional Use Permit 2015-02.

RESOLUTION NO. 2015-04

**RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF ORANGE COVE APPROVING
CONDITIONAL USE PERMIT APPLICATION NO. 2015-02
UNITED HEALTH CENTERS**

WHEREAS, a Conditional Use Application has been received to allow for a free-standing sign at 445 11th Street on property located at the northwest corner of 11th and 'E' Streets (APN 375-050-09); and

WHEREAS, the subject project requires approval of a conditional use permit in accordance with Chapter 17.52 of the Orange Cove Zoning Ordinance; and

WHEREAS, the appropriate application was filed with and deemed complete by the Orange Cove Planning Department; and

WHEREAS, the subject application was reviewed for compliance with the Orange Cove Municipal Code; and

WHEREAS, the project is exempt from the requirements of the California Environmental Quality Act (Class 11, Categorical Exemption); and

WHEREAS, the Commission, after reviewing the staff report prepared pursuant to the request, and which is herein incorporated by this reference, did make the following findings:

1. That the free-standing sign is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15305.
2. That the granting of the conditional use permit will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the subject property.
3. That the granting of such conditional use permit will not adversely affect the general plan or the purposes of this title

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Orange Cove does approve Conditional Use Permit No. 2015-02 for a free-standing sign at 445 11th Street, subject to Conditions of Approval attached as Exhibit A.

The foregoing resolution was introduced at a regular meeting of the Planning Commission of the City of Orange Cove held on the 15th day of September, 2015, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

ATTEST:

June Bracamontes, Secretary

EXHIBIT "A"

CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT 2015-02
UNITED HEALTH CENTERS.

The site is located in the PF - Public Facilities zone district and the standards of this district shall apply.

1. The sign shall comply with the plans submitted by Excel Sign Company on behalf of United Health Centers for the free-standing sign at 445 11th Street, Orange Cove, CA.
2. The sign shall be constructed in conformance with the 2010 California Building Code.
3. All work on the sign shall be inspected and approved by the Orange Cove Building Official.
4. All contractors or sub-contractors working in the City of Orange Cove must obtain a business license from the Finance Department at Orange Cove City Hall.

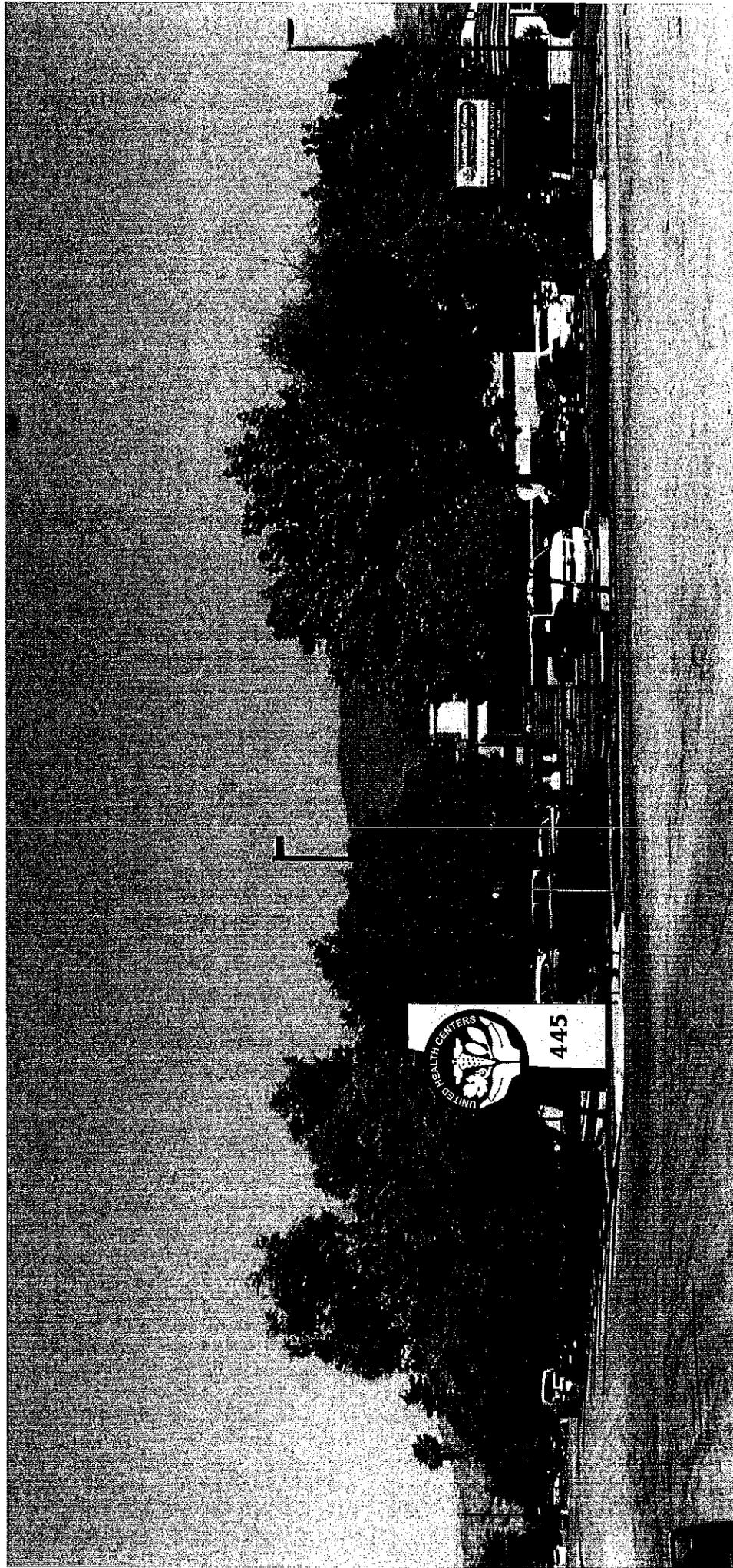


EXHIBIT C
UNITED HEALTH CENTERS
CONCEPTUAL ELEVATION

445 11th ST.



N

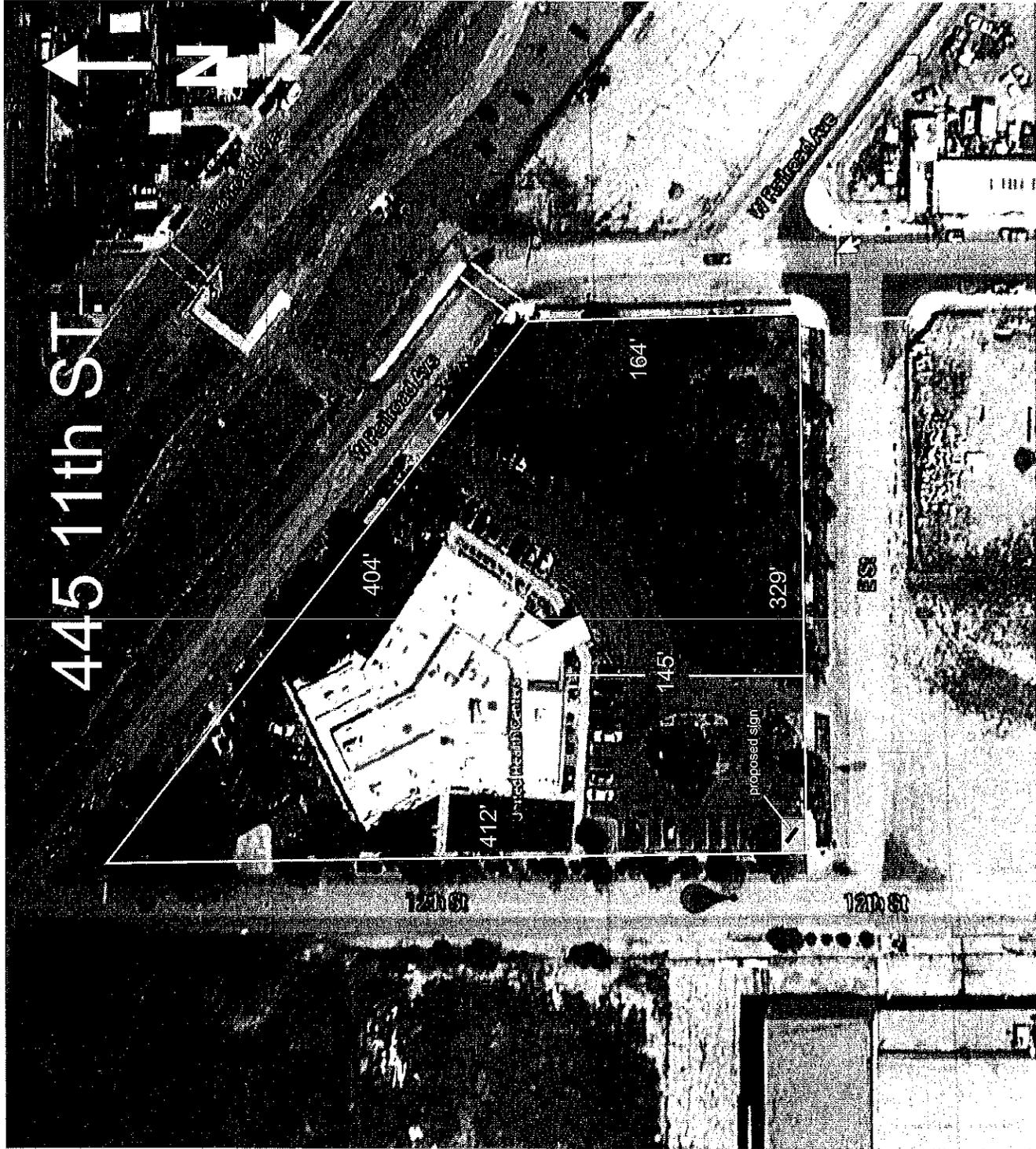
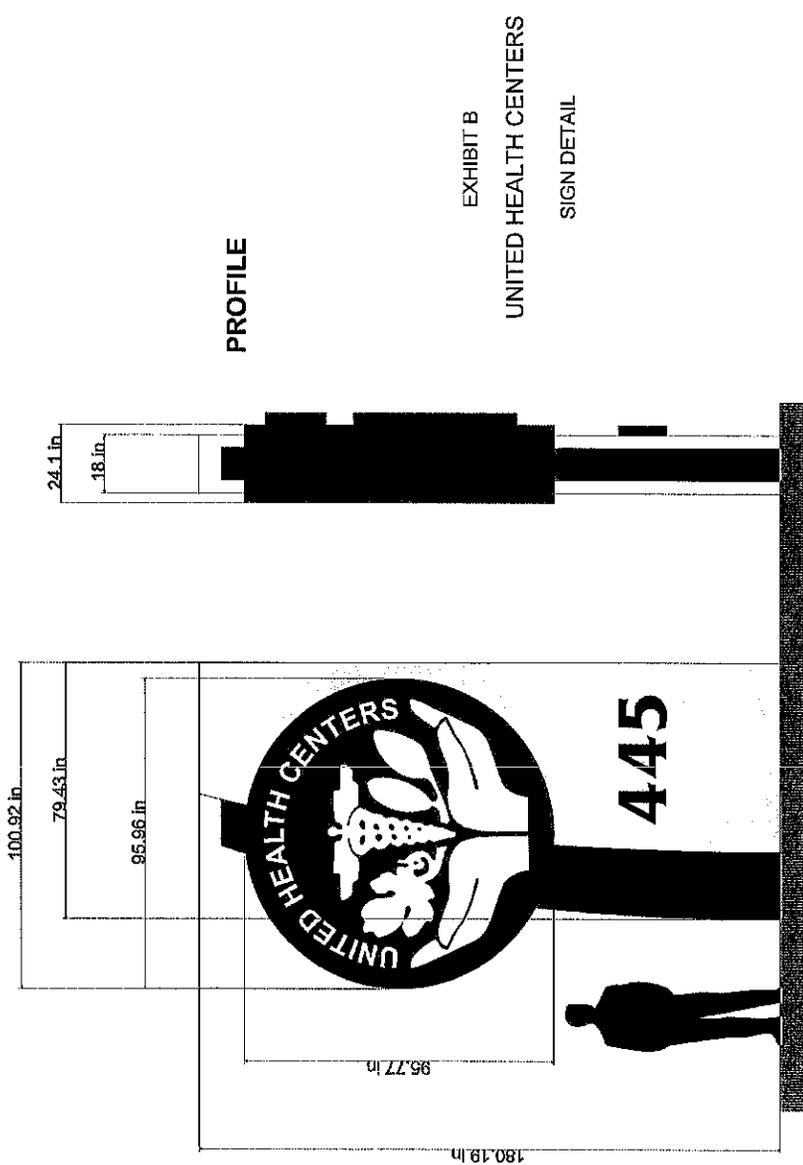


EXHIBIT A

UNITED HEALTH
CENTERS

PROPOSED SIGN

SITE PLAN



PROFILE

EXHIBIT B
 UNITED HEALTH CENTERS
 SIGN DETAIL

Freestanding monument sign - 1 sided.
 Full aluminum frame and exterior plate construction. Primed and painted finish using 2 part automotive epoxy. silver metallic, deep royal and medium blue
 Lettering and logo is channel letter construction with white plexiglass faces and white LED internal illumination.
 Sign supported by a 5" square steel pole running throughout sign height and embedded in ground 6" with 2" diameter footing. Set on 4" deep concrete pad.
 Provide required engineering and city permit. Installed on site and connect to pre run electrical.

Customer: _____
 Company: _____
 Address: _____
 City: _____ State/ZIP: _____
 Phone: _____
 Fax: _____

EXCEL SIGN
 C O M P A N Y
 LIC# 937641
 1229 HOBLITT AVE, SUITE A CLOVIS, CA 93612
 (559) 298 6028 FAX (559) 298-6478

Job No: _____ Date: _____
 Order Date: _____ Salesperson: _____
 Sign Dimensions: _____ Estimate: \$ _____
 APPROVED: _____
 NEED CHANGES: _____

STAFF REPORT

TO: Orange Cove Planning Commission

FROM: Gary Horn, City Engineer
Bruce O'Neal, Fresno COG Circuit Planner

DATE: September 15, 2015

SUBJECT: **GENERAL PLAN AMENDMENT 2015-01 AND REZONE AMENDMENT 2015-01:
UPDATE AND REVISION OF THE GENERAL PLAN LAND USE MAP AND ZONING
MAP**

Recommendation:

Staff recommends that the Orange Cove Planning Commission take the following action with respect to General Plan Amendment 2015-01 and Rezone Amendment 2015-01, as initiated by the City of Orange Cove:

1. Approve the attached Resolution recommending that the City Council approve General Plan Amendment 2015-01 and Rezone Amendment 2015-01

Discussion:

In 2014, the Fresno Council of Governments (COG) initiated the Circuit Planner Project to assist with local planning needs and retained Bruce O'Neal as Circuit Planner. The task selected by Orange Cove is *Update and Revision of the General Plan Land Use Map and Zoning Map*.

Each California city is required to adopt a General Plan providing for long-term growth and day-to-day decisions on development. The General Plan contains seven mandatory elements: land use, transportation, housing, open space, conservation, noise, and safety. The City is responsible for keeping the General Plan current; although complete updates to the General Plan are usually made every 10-15 years, it is more common to amend the plan from time to time to incorporate growth trends or to reflect piecemeal changes made to the plan over time. Amendments can be made either to the text of the General Plan or to the land use map.

Each city is also required to have a zoning ordinance that implements the General Plan. While a General Plan land use designation shows location and density for particular uses, the zoning map shows zone districts on individual parcels and the ordinance provides detailed development standards, including setbacks, density, lot coverage, height regulations, parking, and landscaping. State planning law requires that the zoning ordinance be consistent with the General Plan and that the plan contain a list of zoning districts that can be used to implement the land use element.

Staff has identified several issues with the land use and zoning maps that should be resolved, including inconsistencies with existing land use and inconsistencies with the General Plan (for example, existing or planned commercial uses with residential zoning). Various general plan designations, amendments and rezones approved by the City are also not reflected on the zoning map. The work program has included several meetings with staff to review map issues and proposed solutions, including review of existing zoning on an assessor's parcel (APN) basis.

In addition to the mapping issues, several amendments to the text of the General Plan and Zoning Ordinance are also recommended. These proposed amendments help insure consistency between the documents and also will assist the staff, Planning Commission and City Council in regulating future development.

The Planning Commission held a workshop on September 1, 2015 to discuss examples of inconsistencies between the General Plan and zoning map and recommendations prior to scheduling public hearings on the matter.

Analysis:

Based on review and analysis, recommendations have been developed for formal amendment of the General Plan text and land use map, as well as the zoning ordinance text and zone map. The amendments are described in detail in the exhibits attached to the Planning Commission resolution and are summarized as follows:

General Plan Amendment (GPA) 2015-01:

General Plan Revisions

1. Neighborhood Commercial Land Use Designation (to be consistent with existing NC zone district)

A Neighborhood Commercial designation has been added to provide for small scale retail and service developments which serve the convenience needs of a neighborhood. Development is intended to be pedestrian-oriented and compatible with the scale of surrounding residential areas.

2. *The Land Use/Zoning Consistency Matrix*

The *Land Use/Zoning Consistency Matrix* shown below is an amendment to the land use element and contains both existing and new land use designations from the General Plan and those zone districts consistent with the designations. The matrix is a requirement for applying consistent zoning to sites shown on the land use map or when the General Plan is amended.

**Orange Cove General Plan
Land Use/Zoning Consistency Table**

State planning law requires that the zoning on every Site be consistent with the General Plan land use designation for that Site. The table below is a matrix that shows which General Plan land use designations are consistent with which zone districts. Land use designations are listed in the left column of the matrix while zone districts run across the top. Shaded boxes show consistency between a land use category and a zone district. For example, a Site zoned R-1-6 would be consistent with the Medium Density designation.

Land Use Designation	R-1-12	R-1-6	R-2	R-3-A	R-3	MHP	C-1	C-2	C-3	M-U	M-1	M-2	O	PF	PUD
Low Density															
Medium Density															
High Density															
Neighborhood Commercial															
General Commercial															
Central Commercial															
Mixed Use															
Industrial															
Public Facilities															
Open Space															

Note: The land use map contains a single "Industrial" designation, but the matrix includes both M-1 (light industrial) and M-2 (heavy industrial) as consistent districts. This would leave the decision to the City Council to zone heavy industrial uses M-2 on a case-by-case basis.

3. General Plan Land Use Map Amendments.

Approximately 17 amendments to the General Plan land use map are proposed to reflect existing land use or plan amendments. In most cases, there are no changes to existing developed uses and the amendments are intended to regulate future development.

Rezone Amendment (RA) 2015-01:

1. The following zone districts are removed in their entirety from the Zoning Ordinance:

- a. Chapter 17.08 - R-A SINGLE FAMILY/AGRICULTURAL DISTRICT
- b. Chapter 17.22 - R-M/H RESIDENTIAL MANUFACTURED HOME DISTRICT
- c. Chapter 17.38 - P OFF-STREET PARKING DISTRICT
- d. Chapter 17.40 - UR URBAN RESERVE DISTRICT

2. The following zone districts are amended or added as indicated:

- a. Chapter 17.10 – R-1-12 SINGLE-FAMILY/LOW DENSITY RESIDENTIAL DISTRICT (amended to allow duplex/triplex buildings or corner lots by CUP)
- b. Chapter 17.12 - R-1-6 SINGLE-FAMILY/MEDIUM DENSITY RESIDENTIAL DISTRICT (amended to allow duplex/triplex buildings or corner lots by CUP)
- c. Chapter 17.19 - R-2-A MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT, ONE STORY (new added district)
- d. Chapter 17.18 - R-2 MEDIUM/HIGH DENSITY RESIDENTIAL DISTRICT (amended to limit number of multifamily units in any project to 100)
- e. Chapter 17.20 - R-3 HIGH DENSITY RESIDENTIAL DISTRICT (amended to limit number of multifamily units in any project to 100)
- f. Chapter 17.32 - C-3 CENTRAL BUSINESS AND SHOPPING DISTRICT (amended to add automobile repair and towing as a conditional use)
- g. Chapter 17.33 - M-U MIXED-USE ZONING DISTRICT (new added district)
- h. Chapter 17.62 - NONCONFORMING USES AND STRUCTURES (amended to allow restoration by CUP)

3. Zoning Map Amendments To Be Consistent With Revised Land Use Map.

Approximately 41 amendments to the Zone Map are proposed to be consistent with the General Plan, reflect existing land use or recent rezonings. In most cases, there are no changes to existing developed uses and the amendments are intended to regulate future development.

Environmental Review: California Environmental Quality Act (CEQA)

Article 19 of the CEQA Guidelines includes a list of classes of projects which have been determined to not have a significant effect on the environment and which are, therefore, exempt from the provisions of CEQA. The classes of projects listed in the article do not have a significant effect on the environment, and they are declared to be categorically exempt from the requirement for the preparation of environmental documents.

Class 5: Minor Alterations In Land Use Limitations. Class 5 consists of minor alterations in land use limitations which do not result in any changes in land use or density.

ATTACHMENT:

Planning Commission Resolution Recommending Approval of General Plan Amendment 2015-01 and Zoning Amendment 2015-01

RESOLUTION NO. 2015-03

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE COVE
RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT 2015-01 AND
REZONE AMENDMENT 2015-01: UPDATE AND REVISION OF THE GENERAL PLAN LAND USE
MAP AND ZONING MAP**

WHEREAS, the Orange Cove Planning Commission did consider during a duly noticed public hearing conducted on September 15, 2015, General Plan Amendment (GPA) 2015-01 and Rezone Amendment (RA) 2015-01 for the Update And Revision of the General Plan Land Use Map And Zoning Map; and

WHEREAS, GPA 2015-01 proposes to amend the Orange Cove General Plan text and amend the General Plan land use map to reflect existing land use or previously approved plan amendments; and

WHEREAS, RA 2015-02 proposes to amend the zoning ordinance text to implement the General Plan and to amend the Zone Map to be consistent with the Land Use Map, reflect existing land use, or recent rezonings; and

WHEREAS, the City has determined that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) subject to CEQA Guidelines Section 15305, minor alterations in land use limitations; and

WHEREAS, the Planning Commission, at the public hearing received oral and written evidence, including the staff report prepared by the City of Orange Cove Planning Department regarding GPA 2015-01 and RA 2015-01 and determined that recommending approval of GPA 2015-01 and RA 2015-01 to the Orange Cove City Council protects and promotes the public health, safety, and general welfare of the citizens of Orange Cove.

NOW THEREFORE, BE IT RESOLVED that the Orange Cove Planning Commission:

(a) Recommends that the Orange Cove City Council approve GPA 2015-01 amending the General Plan text and Land Use Map attached to this Resolution as Exhibits "A" and "B" and incorporated herein by reference.

(b) Finds that RA 2015-01 (i) is consistent with the purposes and intended application of the zoning districts proposed; and (ii) is consistent with the applicable provisions of the Orange Cove General Plan as amended by GPA 2015-01.

(c) Based upon the findings set forth above, recommends that the Orange Cove City Council approve RA 2015-01 amending the text of Title 17 of the Orange Cove Municipal Code and amendments to the Zoning Map attached to this Resolution as Exhibits "C" and "D" and incorporated herein by reference.

* * * * *

I, _____, Secretary to the Planning Commission of the City of Orange Cove, do hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting of the Orange Cove Planning Commission held on the 15th day of September 2015, by the following vote:

Ayes: Commissioners:

Noes: Commissioners:

Absent: Commissioners:

Abstain: Commissioners:

Planning Commission Secretary
City of Orange Cove

Exhibit "A"
Proposed Amendments to the Orange Cove General Plan and Land Use Map

General Plan Revisions

1. Neighborhood Commercial Land Use Designation (to be consistent with existing NC zone district)

The Neighborhood Commercial designation provides for small scale retail and service developments which serve the convenience needs of a neighborhood and is not intended to accommodate major or large scale commercial or service activities. Acceptable uses will have a limited impact on adjacent residential areas in terms of lighting, traffic, noise, and hours of operation. Acceptable uses include neighborhood scale commercial, offices, small service establishments, convenience stores with limited hours of operation, small restaurants, and small public facilities. Development is intended to be pedestrian-oriented and compatible with the scale of surrounding residential areas.

2. The Land Use/Zoning Consistency Matrix

The *Land Use/Zoning Consistency Matrix* shown below is an amendment to the land use element and contains both existing and new land use designations from the General Plan and those zone districts consistent with the designations. The matrix is, in effect, a requirement for applying consistent zoning to sites shown on the land use map or when the General Plan is amended.

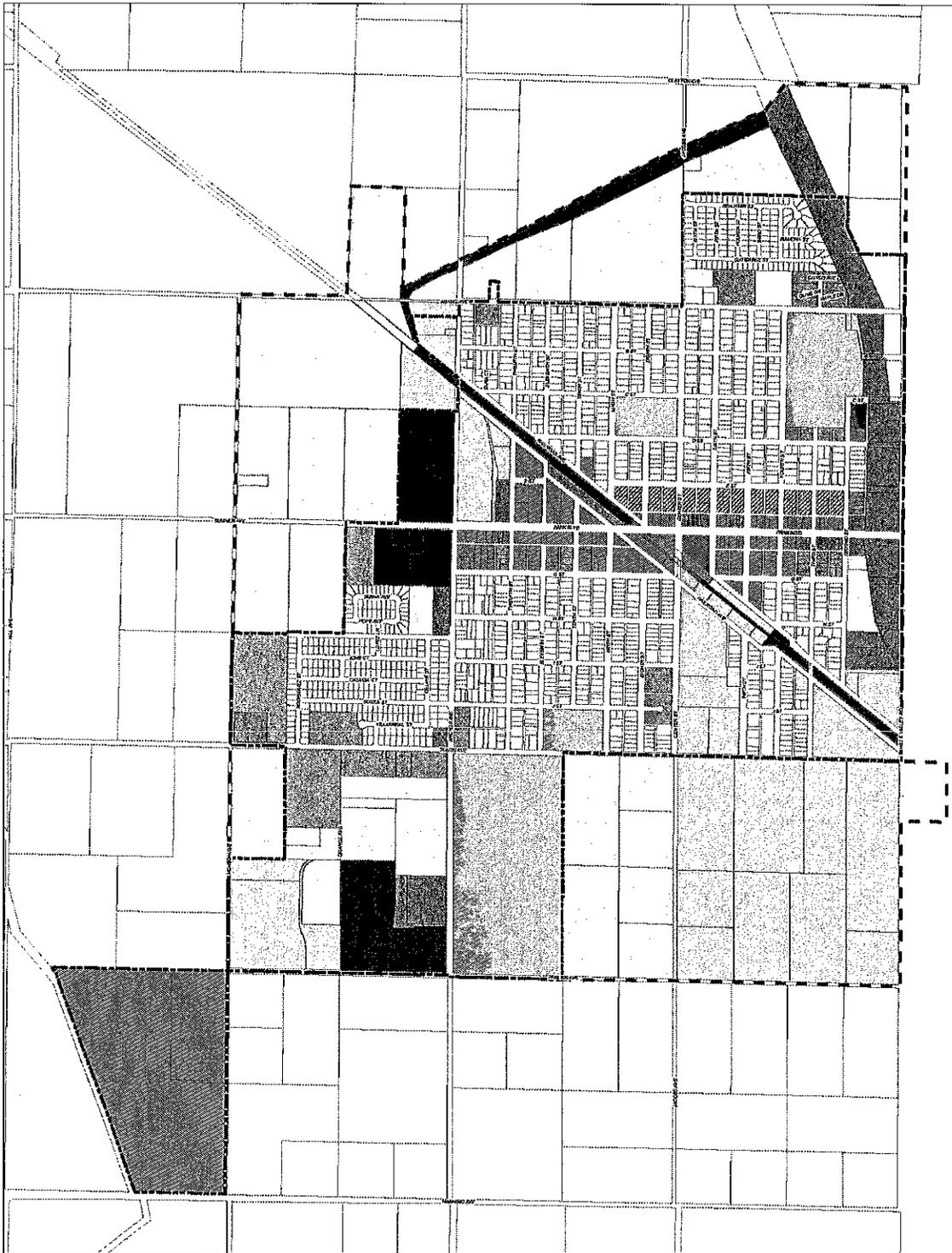
**Orange Cove General Plan
Land Use/Zoning Consistency Table**

State planning law requires that the zoning on every Site be consistent with the General Plan land use designation for that Site. The table below is a matrix that shows which General Plan land use designations are consistent with which zone districts. Land use designations are listed in the left column of the matrix while zone districts run across the top. Shaded boxes show consistency between a land use category and a zone district. For example, a Site zoned R-1-6 would be consistent with the Medium Density designation.

Land Use Designation	R-1-12	R-1-6	R-2	R-3-A	R-3	MHP	C-1	C-2	C-3	M-U	M-1	M-2	O	PF	PUD
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High Density															
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General Commercial															
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Mixed Use															
Industrial															
Public Facilities															
Open Space															

Note: The land use map contains a single "Industrial" designation, but the matrix includes both M-1 (light industrial) and M-2 (heavy industrial) as consistent districts. This would leave the decision to the City Council to zone heavy industrial uses M-2 on a case-by-case basis.

Exhibit "B"
 AMENDED ORANGE COVE GENERAL PLAN LAND USE MAP



City of Orange Cove - Land Use



Yamaha & Horn
 Engineering, Inc.
 Updated: 09/08/2015

- | | | | | | | |
|---------------------|----------------------------|--------------------------|--------------------|-------------------|------------|-----------|
| City Limits | Low Density Residential | High Density Residential | Central Commercial | Industrial | Schools | Mixed Use |
| Sphere of Influence | Medium Density Residential | Neighborhood Commercial | General Commercial | Public Facilities | Open Space | |

September 8, 2015

Exhibit "C"
Proposed Amendments to the Orange Cove Zoning Ordinance

Zoning Ordinance Revisions

1. The following zone districts are hereby removed in their entirety:
 - a. Chapter 17.08 - R-A SINGLE FAMILY/AGRICULTURAL DISTRICT
 - b. Chapter 17.22 - R-M/H RESIDENTIAL MANUFACTURED HOME DISTRICT
 - c. Chapter 17.38 - P OFF-STREET PARKING DISTRICT
 - d. Chapter 17.40 - UR URBAN RESERVE DISTRICT

2. The following zone districts are hereby amended or added as indicated:
 - a. Chapter 17.10 – R-1-12 SINGLE-FAMILY/LOW DENSITY RESIDENTIAL DISTRICT (amended to allow duplex/triplex buildings or corner lots by CUP)
 - b. Chapter 17.12 - R-1-6 SINGLE-FAMILY/MEDIUM DENSITY RESIDENTIAL DISTRICT (amended to allow duplex/triplex buildings or corner lots by CUP)
 - c. Chapter 17.19 - R-2-A MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT, ONE STORY (new added district)
 - d. Chapter 17.18 - R-2 MEDIUM/HIGH DENSITY RESIDENTIAL DISTRICT (amended to limit number of multifamily units in any project to 100)
 - e. Chapter 17.20 - R-3 HIGH DENSITY RESIDENTIAL DISTRICT (amended to limit number of multifamily units in any project to 100)
 - f. Chapter 17.32 - C-3 CENTRAL BUSINESS AND SHOPPING DISTRICT (amended to add automobile repair and towing as a conditional use)
 - g. Chapter 17.33 - M-U MIXED-USE ZONING DISTRICT (new added district)
 - h. Chapter 17.62 - NONCONFORMING USES AND STRUCTURES (amended to allow restoration by CUP)

Chapter 17.10 – R-1-12 SINGLE-FAMILY/LOW DENSITY RESIDENTIAL DISTRICT

17.10.030 - Conditional use permit.

Uses permitted subject to conditional use permit in the R-1-12 district are:

j. Duplex/triplex buildings or corner lots in single family subdivisions

Chapter 17.12 – R-1-6 SINGLE-FAMILY/MEDIUM DENSITY RESIDENTIAL DISTRICT

17.12.030 - Conditional use permit.

Uses permitted subject to conditional use permit in the R-1-6 district are:

j. Duplex/triplex buildings or corner lots in single family subdivisions

Chapter 17.18 - R-2 MEDIUM/HIGH DENSITY RESIDENTIAL DISTRICT

17.18.020 - Permitted uses.

d. Multifamily development in the R-2 district shall not exceed 100 units in any project.

Chapter 17.19 - R-2-A MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT, ONE STORY

17.19.010 - Purpose.

17.19.020 - Permitted uses.

17.19.030 - Conditional use permit.

17.19.040 - Prohibited uses.

17.19.050 - Property development standards.

17.19.060 - General provisions and exceptions.

17.19.070 - Site plan review.

17.19.010 - Purpose.

The R-2-A district is intended to provide for medium density multifamily structures, limited to one story in height, for the purposes of rental or sale to permanent occupants. Single family units are a permitted use and may be constructed with two stories consistent with provisions of the R-1-6 district.

17.19.020 - Permitted uses.

In the R-2-A district, uses permitted are:

A. Uses permitted in the R-2 district, Section 17.18.020, shall apply.

17.19.030 - Conditional use permit.

In the R-2-A district, uses permitted subject to conditional use permit are: uses listed in the R-2 district, Section 17.18.030, shall apply.

17.19.040 - Prohibited uses.

In the R-2-A district, uses expressly prohibited are:

- A. The uses listed as uses expressly prohibited in the R-2 district, Section 17.18.040*
- B. Any multifamily dwelling structure exceeding one story or twenty feet in height.*

17.19.050 - Property development standards.

A. The provisions of the R-2 district, Sections 17.18.050 through 17.18.180 shall apply, excepting Section 17.19.080 relating to building height.

B. Building Height.

- 1. Multifamily structures erected in this district shall not exceed one story, or twenty feet in height.*
- 2. Single family structures erected in this district shall not exceed two stories, or thirty feet in height.*
- 3. Accessory buildings erected in this district shall not exceed one story, or twelve feet to plate height.*

17.19.060 - General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapters 17.52 through 17.64.

17.19.070 - Site plan review.

Before any building or structure, with the exception of a one-family dwelling, is erected on any lot in the R-2-A district, a site plan pursuant to Chapter 17.56 of this code shall have been submitted to and approved by the City Manager, or his designee.

Chapter 17.20 - R-3 HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT

17.20.20 - Permitted uses.

- h. Multifamily development in the R-3 district shall not exceed 100 units in any project.*
-

Chapter 17.32 - C-3 CENTRAL BUSINESS AND SHOPPING DISTRICT

17.32.030 - Conditional use permit.

Uses permitted subject to conditional use permit in the C-3 district are:

1. Auditoriums;
2. Automatic self-serve car wash;
3. Automobile parts sales;
4. **Automobile repair and towing;**
5. Automobile service stations (with incidental repair);
6. Bakeries (wholesale);
7. a. Bars, beer halls, amusement rooms, pool rooms, adult bookstores, and adult theaters, providing that such proposed use shall not be established within one thousand feet of any such business enumerated in this subsection.
b. The distance between any two such businesses shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior parcel line of each business.
c. The distance limitation of this section shall not apply to any included establishments that are in existence at the time of the adoption of the ordinance codified in this section. Such nonconforming uses may continue as long as the building and/or the premises are not increased, expanded or enlarged in any manner;
8. Bowling alleys;
9. Building with heights greater than two stories;
10. Bus stations;
11. Car sales (new and used);
12. Churches;
13. Clinics and laboratories;
14. Communication substations, gas regulator stations, utility pumping stations, radio and television stations;
15. Drive-in restaurants;
16. Dry cleaners;
17. Hospitals;
18. Janitorial services;
19. Laundry shops;
20. Linen supply services;
21. Mortuaries;
22. Nurseries (within or behind the main buildings);
23. Nursing and convalescent hospitals or homes;
24. Private clubs, lodges;
25. Public grounds and buildings;
26. Parking lots, in conjunction with permitted uses;
27. Radio and television repair;
28. Recycling collection facility;
29. Theaters;
30. Trade and professional schools;
31. Used furniture stores.

Chapter 17.33 M-U MIXED-USE ZONING DISTRICT

17.33.010 - Purpose

17.33.011 - Definitions

17.33.012 - Permitted Uses

17.33.013 - Conditional use permit.

17.33.014 - Prohibited uses.

17.33.015 - Commercial Establishment Size Limits

17.33.016 - Property development standards.

17.33.017 - Indoor/outdoor operations.

17.33.018 - Lot area per unit (density).

17.33.019 - Floor Area Ratio.

17.33.020 - Setbacks.

17.33.021 - Space between buildings.

17.33.022 - Fences, hedges and walls.

17.33.023 - Off-street parking.

17.33.024 - Access.

17.33.025 - Signs.

17.33.026 - Loading.

17.33.027 - General provisions and exceptions.

17.33.028 - Site plan review.

17.33.029 - Building compatibility.

17.33.010 - Purpose *The purposes of the M-U zoning district are to:*

The M-U zoning district represents a commercial zoning classification that permits a vertical or horizontal mix of commercial and residential uses on the same lot or within the same building. The district is intended to accommodate a physical pattern of development often found along village main streets and in neighborhood commercial areas of older cities.

17.33.011 - Definitions

As used in this ordinance, the following words and terms shall have the meanings specified herein:

“Floor Area Ratio” means the ratio of a building’s gross floor area to the area of the lot on which the building is located.

“Gross Floor Area” is the sum of the gross horizontal areas of all floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. Gross floor area does not include basements when at least one-half the floor-to-ceiling height is below grade, accessory parking (i.e., parking that is available on or off-site that is not part of the use’s minimum parking standard), attic space having a floor-to-ceiling height less than seven feet, exterior balconies, uncovered steps, or inner courts.

“Mixed-use Building” means a building that contains at least one floor devoted to allowed nonresidential uses and at least one devoted to allowed residential uses.

17.33.012 - Permitted Uses

Uses permitted in the M-U district are:

1. *Animal services, sales and grooming*
2. *Art and antique stores*
3. *Day care*
4. *Dwelling units located above ground floor commercial or office use*
5. *Entertainment venue (1-149 seats)*
6. *Financial services*
7. *Food and beverage retail sales, including bakeries (retail), delicatessens, ice cream stores, meat markets, soft drink fountains, and similar uses*
8. *Grocery stores*
9. *Group homes*
10. *Health clubs and gyms*
11. *Medical services*
12. *Music, dance and art studios*
13. *Offices*
14. *Personal services, including barber and beauty shops, tailors, florists, photography studios, shoe repair shops and similar uses*
15. *Public safety services*
16. *Repair services for consumers, including bicycles*
17. *Restaurants (not including drive-ins)*
18. *Retail sales, general*
19. *Utilities and services, minor*
20. *Wireless communication services, co-located only*

17.33.013 - Conditional use permit.

Uses permitted subject to conditional use permit in the M-U district are:

1. *Artist live/work space*
2. *Artisan manufacturing (hand tools only, e.g., jewelry or ceramics)*
3. *Assisted living*
4. *Automobile parts sales*
5. *Churches*
6. *Drive through facilities*
7. *Electrical distribution substation*
8. *Ice and food products dispensing machines*
9. *Laundry, self-service*
10. *Libraries*
11. *Lodging (motels, bed and breakfast, 1-10 guest rooms)*
12. *Nursing home*
13. *Parks and recreation*
14. *Private clubs, lodges*
15. *Public grounds and buildings*
16. *Public parking lot or structure*
17. *Residential – freestanding attached or detached single family home; multifamily (2+ units)*

18. Schools
19. Transitional and supportive housing
20. Utilities and services, major
21. Water pump station

17.33.014 - Prohibited uses.

Uses expressly prohibited in the M-U district are:

1. Advertising structures
2. Adult uses
3. Animal boarding kennel
4. Gas stations
5. Hospitals
6. Industrial uses
7. Liquor stores
8. Mini storage warehouse
9. Trailer parks
10. Vehicle sales, service, and repair
11. Bars, cocktail lounges, and the like

17.33.015 - Commercial Establishment Size Limits

The gross floor area of commercial establishments in the M-U district shall not exceed 10,000 square feet.

17.33.016 - Property development standards.

Property development standards in the M-U district are:

- A. Lot area: no requirement
- B. Lot dimensions: no requirement
- C. Building height: maximum building height shall be three stories, not to exceed forty feet for mixed-use buildings, and two stories not to exceed 30 feet for all other buildings.

17.33.017 - Indoor/outdoor operations.

All permitted uses in the M-U district must be conducted within completely enclosed buildings unless otherwise expressly authorized. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas.

17.33.018 - Lot area per unit (density).

The minimum lot area per dwelling unit shall be 2,000 square feet for mixed-use buildings, and 3,000 square feet for all other freestanding residential buildings.

17.33.019 - Floor Area Ratio.

The maximum FAR shall be 2.0 for mixed-use buildings and 1.25 for all other buildings.

17.33.020 - Setbacks.

- A. For commercial, office, or mixed-use buildings, the entire building façade must abut front and street side property lines or be located within 10 feet of such property lines. The minimum rear setback shall be 5 percent of the lot depth. No interior side setbacks are required, except when M-U zoned property abuts R-zoned property, in which case the minimum side setback in the M-U district shall be the same as required on the abutting R-zoned lot.
- B. For freestanding residential uses, the minimum front yard setback shall be 15 feet; the minimum rear yard shall be 10 feet; and the minimum side yard shall be 5 feet.
- C. All proposed yards shall be landscaped in accordance with conditions of site plan review.
- D. Open parking areas shall be provided with appropriate perimeter and internal landscaping in accordance with conditions of site plan review.

17.33.021 - Space between buildings.

- A. For commercial, office, or mixed-use buildings, there are no requirements for space between buildings in the M-U district.
- B. For freestanding multifamily buildings, space between buildings shall be as prescribed the R-2 district, Section 17.18.130.

17.33.022 - Fences, hedges and walls.

- A. Any fence, hedge or wall shall be reduced to three feet when within the front yard or street side yard.
- B. Fences, walls and railings shall be ornamental masonry or concrete, textured or stamped metal, or ornamental iron work or similar durable materials.

17.33.023 - Off-street parking.

- A. The requirement for off-street parking spaces for commercial or office uses shall be one square foot of off-street parking for each three square feet of floor area.
- B. The requirement for off-street parking for residential uses shall be 1 ½ spaces for each dwelling unit.
- C. For mixed use projects, the number of parking spaces shall be determined as part of the site plan review process, but shall be generally based on A. and B., above.
- D. Spaces shall be provided on a site not more than five hundred feet from the external boundaries of the lot upon which the building it serves is located. This required parking area shall be provided in any of the following ways:
 - 1. On the lot with the building served;
 - 2. On a contiguous lot or a lot within five hundred feet of the building or use being served;
 - 3. By membership in an assessment district established for the purpose of providing

off-street parking for the uses located in the district.

- E. *The improvement and maintenance standards of Sections 17.60.100 through 17.60.160 shall apply.*

17.33.024 - Access.

There shall be adequate vehicular access from a dedicated and improved street or alley.

17.33.025 – Signs.

The provisions of the C-1 district, Section 17.28.180(A), (B), (D) and (F) shall apply.

17.33.026 - Loading.

For nonresidential uses the requirements for size, location, treatment and maintenance of loading spaces, Section 17.60.190 shall apply.

17.33.027 - General provisions and exceptions.

All uses shall be subject to the general provisions and exceptions prescribed in Chapters 17.52 through 17.64.

17.33.028- Site plan review.

Before any building or structure is erected on any lot in the M-U district, a site plan pursuant to Chapter 17.56 of this code shall be submitted to and approved by the City Manager, or his designee.

17.33.029 - Building compatibility.

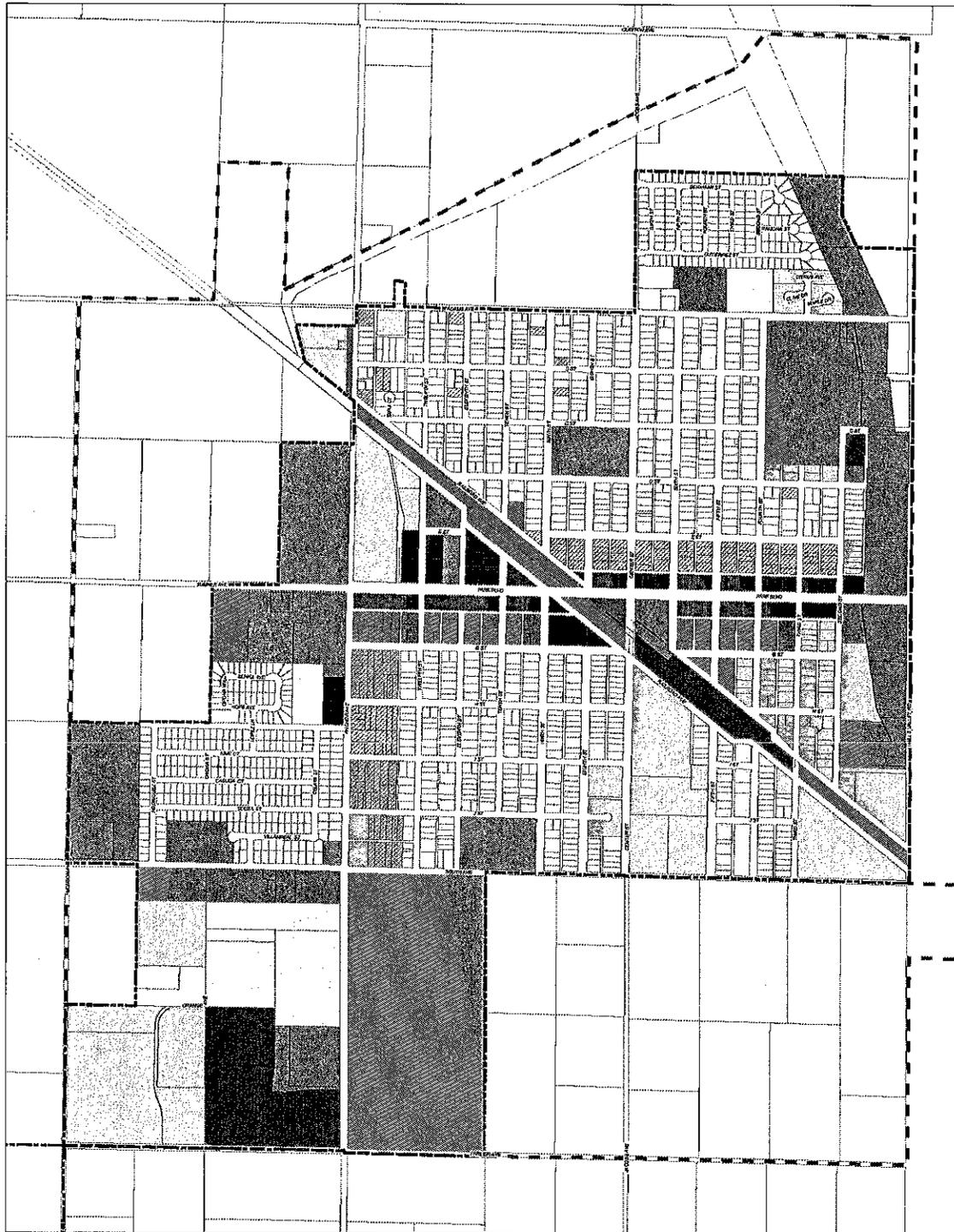
Any proposed structure in the M-U district shall be architecturally compatible with existing or future buildings and reviewed and approved for conformance by the City Manager, or his designee, upon submittal of a site plan review or conditional use permit application.

Chapter 17.62 - NONCONFORMING USES AND STRUCTURES

17.62.060 - Restoration of damaged structure.

Whenever a nonconforming use or structure shall be destroyed *or substantially damaged* by fire or other calamity, by an act of God, or by the public enemy ~~to the extent of less than sixty percent,~~ the structure may be restored and the nonconforming use may be resumed *subject to approval of a Conditional Use Permit in conformance with Chapter 17.52,* provided that restoration is started within six months and diligently pursued to completion. *Should the Conditional Use Permit be denied, or the building* ~~Whenever a nonconforming use or structure is so destroyed or damaged to the extent of sixty percent, or more, or is razed either voluntarily or as required by law,~~ the structure shall not be restored except in full conformity with the regulations for the district in which it is located, and the nonconforming use shall not be resumed. The extent of damage to any structure or use shall be as determined by the building official.

Exhibit "D"
 AMENDED ORANGE COVE ZONING MAP



City of Orange Cove - Zoning



Yonah & Horn
 engineering, inc.
 Updated: 09/08/2015

- | | | | |
|----------------------------------|-----------------------------------|------------------------------------------------------|------------------------------------------------------------------|
| City Limits | C-3 Central Business and Shopping | O Open Space | R-2 Med. High Density Residential 3,000 sq. ft. min. |
| Sphere of Influence | M-1 Light Manufacturing | PF Public Facilities | R-2A Med. High Density Res. One Story 3,000 sq. ft. min. |
| C-1 Neighborhood Shopping Center | M-2 Heavy Manufacturing | R-1-12 Single Family Residential 12,000 sq. ft. min. | R-3 High Density Multi-Family Residential 1,500 sq. ft. min. |
| C-2 Community Shopping Center | M-U Mixed Use | R-1-6 Single Family Residential 8,000 sq. ft. min. | R-3A High Density Multi-Family Res. One Story 1,500 sq. ft. min. |