

AGENDA ORANGE COVE PLANNING COMMISSION REGULAR MEETING Tuesday, October 08, 2024 6:00 PM

City of Orange Cove Council Chambers 633 6th St. Orange Cove, CA 93646

ZOOM Information

https://us06web.zoom.us/j/81586130757?pwd=ZmnI0x3r5uIIZDhY9SLeYyHHc1fYe4.1

Meeting ID: 815 8613 0757

Passcode: 153922

1. CALL TO ORDER/WELCOME

Roll call Invocation Flag Salute (Pledge of Allegiance)

2. CONFIRMATION OF AGENDA

Public comments during regular business items are limited to three minutes per person and fifteen minutes total per item.

3. CONSENT

(All items listed under the consent calendar category are considered routine. The complete consent calendar will be enacted by one motion by ROLL CALL VOTE. For purposes of discussion, any council member may have an item removed from the consent calendar and made part of the regular agenda. The Council can then approve the remainder of the consent calendar).

3.a. Minutes of the September 05, 2024, Regular Meeting of Orange Cove Planning Commission

Cisneros

3.b. Minutes of the September 10, 2024, Adjourned Regular Meeting of Orange Cove Planning Commission

Cisneros

4. REGULAR BUSINESS

4.a. <u>SUBJECT</u>: First Reading and Introduction of Ordinance No. 398 Amending the Zoning from C-3, Central business to MU Mixed Use and Resolution No. 2024-03 Amending the General Plan Amendment 2024-02 changing the General Plan from Central Commercial to Mix Use

Patlan

RECOMMENDATION: Staff recommends that the Planning Commission hold a Public Hearing on the Rezone Amendment No. 398 and General Plan Amendment GPA 2024-02 to take any public comments/input on the proposed amendment; to Approve the First Reading and Introduction of OrdinanceNo. 398 amending the zoning from C-3, Central Business to MU, Mixed Use And to Approve Resolution No. 2024-03 approving the General Plan Amendment from Central Commercial to Mixed Use

5. PUBLIC COMMENTS

Notice(s) to the Public: This is the opportunity for any member of the public to address the Planning Commission on any item over which the Commission has jurisdiction. No action or discussion will be taken on any item not on the agenda. Issues raised will be referred to the City Manager for review. Members of the public shall limit their remarks to three (3) minutes and no more than 15 minutes per topic.

6. ADJOURNMENT

<u>ADA Notice</u>: 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. 213. Notification 48 hours prior to the meeting will enable the city to make arrangements to ensure accessibility to this meeting.

<u>Documents</u>: Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the front counter at City Hall, Orange Cove, CA during normal business hours. In addition, most documents are posted on the City's website at cityoforangecove.com.

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 City Council 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 City Council, 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 Council 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 City Council is in session, the following rules of decorum shall be observed:

- All remarks shall be addressed to the City Council 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 City Council 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 City Council meeting.
- 3. A person, other than members of the Council and the person, who has the floor, shall not be permitted to enter into the discussion unless requested by the mayor to speak.
- 4. Members of the City Council may not interrupt a person who has the floor and is making public comments. Members of the City Council shall wait until a person completes his or her public comments before asking questions or commenting. The mayor shall then ask Councilmembers if they have comments or questions.
- 5. No person in the audience at a Council 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 Council meeting.

ENFORCEMENT OF DECORUM RULES

(Resolution No. 2012-16)

While the City Council is in session, all persons must preserve order and decorum. A person who addresses the city council 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 City Council meeting.

The mayor 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 mayor or other presiding officer may order the person to leave the City Council meeting. If such person does not leave, the mayor 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 mayor 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 Council may overrule the mayor if the majority of the Council believes the mayor or other presiding officer is not applying the rules of decorum appropriately.



ORANGE COVE PLANNING COMMISSION REGULAR MEETING

Thursday, September 05, 2024, at 6:00 PM City Council Chambers 633 6th Street, Orange Cove, CA 93646 **MINUTES**

1. MEETING CALLED TO ORDER

Commissioner Alvarado called the meeting to order at 6:00 PM.

ROLL CALL COMMISSIONERS PRESENT:

Commissioner-Vicky Alvarado Commissioner-Gary Villarreal

COMMISSIONERS ABSENT:

Commissioner-Manuel Ferreira Commissioner-Rick Applegarth Chairman-Rick Alonso

CITY STAFF PRESENT: Assistant City Manager/Public Works Director Dominguez, Director of Planning/Building Encarnacion Patlan, and City Clerk Cisneros

Due to the lack of quorum, we will not be able to conduct business today. The Regular Planning Commission Meeting of September 05, 2024, adjourned to Tuesday, September 10th, 2024 at 6:00 PM.

2. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:01 PM.

Respectfully submitted,		
Cynthia Cisneros	Vicky Alvarado	
City Clerk	Commissioner	



ORANGE COVE PLANNING COMMISSION ADJOURNED REGULAR MEETING

Tuesday, September 10, 2024, at 6:00 PM City Council Chambers 633 6th Street, Orange Cove, CA 93646 **MINUTES**

1. MEETING CALLED TO ORDER

Chairman Alonso called the meeting to order at 6:00 PM.

ROLL CALL COMMISSIONERS PRESENT:

Commissioner-Manuel Ferreira Commissioner-Vicky Alvarado Commissioner-Gary Villarreal Chairman-Rick Alonso COMMISSIONERS ABSENT: Commissioner-Rick Applegarth

CITY STAFF PRESENT: Assistant City Manager/Public Works Director Dominguez, Director of Planning/Building Patlan, and City Clerk Cisneros

Invocation: Commissioner Ferreira

Flag Salute: Chairman Alonso

2. CONFIRMATION OF AGENDA

No changes to the agenda.

3. PUBLIC HEARING

3.a. Consideration and Necessary Action on the Adoption of Resolution No 2024-03 adopting a Common-Sense Exemption as the Environmental Finding for the Housing Element and Approving General Plan Amendment GPA No. 24-01 adopting the 6th Cycle 2023-2031 Multi-Jurisdictional Housing Element and 2023-2031 Orange Cove Housing Element as per the recommendation of the Orange Cove Planning Commission Staff recommends that the Planning Commission hold a Public Hearing on the General Plan Amendment GPA 24-01 adopting the 6th Cycle 2023-2031 Multi-Jurisdictional Housing Element 2023-2031

Director of Planning/Building Encarnacion Patlan and Urban Planning Director from Ascent Chelsey Payne addressed the commission and the public. A PowerPoint presentation was presented.

Public Hearing opened at 6:28 PM. The public (in person & via Zoom) is welcome to ask any questions about the agenda item. 3.a. No members of the public spoke. Public Hearing closed at 6:29 PM.

Commissioner Ferreira motioned, and Commissioner Villarreal seconded to accept and approve the Public Hearing agenda item 3a. The motion unanimously carried.

4. PUBLIC COMMENTS

5 ADJOURNMENT

No members of the public spoke.

Ο.	There being no further business, the meeting was adjourned at 6:31 PM.		
	Respectfully submitted,		
	Cynthia Cisneros	Rick Alonso	
	City Clerk	Chairman	

For the Meeting of October 8,2024



CITY OF ORANGE COVE

REPORT TO THE PLANNING COMMISSION

To:

Orange Cove Planning Commission

From:

Shun Patlan, Director of Planning and Building

Subject:

First Reading and Introduction of Ordinance No. 398 Amending the Zoning

from C-3, Central business to MU, Mixed Use and Resolution No. 2024-03 Amending the General Plan Amendment 2024-02 changing the General Plan

from Central Commercial to Mix Use

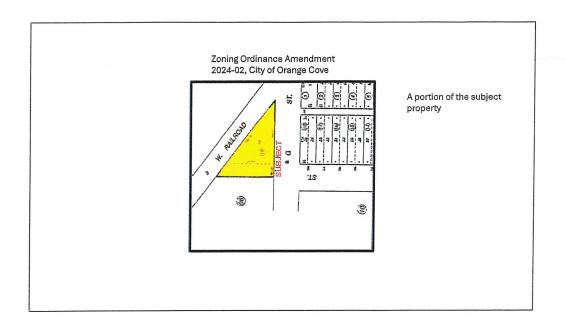
RECOMMENDATION:

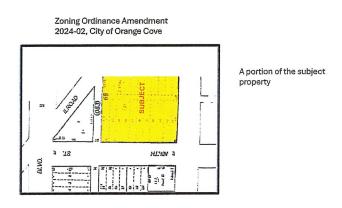
Staff recommends that the Planning Commission consider the following Actions:

- 1. Hold a public hearing on the Rezone Amendment No. 398 and General Plan Amendment GPA 2024-02 to take any public comments/input on the proposed amendments.
- 2. Approved First Reading and Introduction of Ordinance No. 398 amending the zoning from C-3, Central Business to MU, Mixed Use.
- 3. Approve Resolution No. 2024-03 approving the General Plan Amendment from Central commercial to Mixed Use

BACKGROUND:

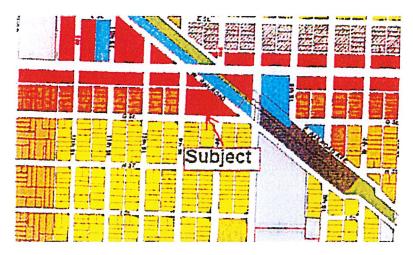
The City of Orange Cove has applied for a zone change amendment for 2.76 acres located on the northeast corner of G and Ninth Streets in Orange Cove. The subject territory is composed of two parcels of land: APN 378-063-07 (2.17 acres) and 378-220-19 (.59 acres).





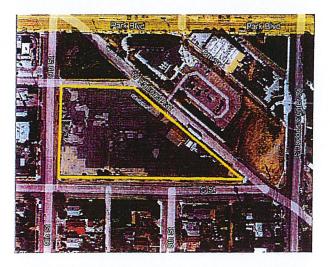
The City is wishing to implement several general plan policies with this amendment, which are detailed in its land use and housing elements. These policies refer to urban infill development, construction of affordable housing, and locating urban development in areas that are pedestrian- friendly. The Fresno County Housing Authority has expressed interest in constructing a mixed-use development on a portion of the subject property – commercial on the ground floor and residential uses on the second story. Further, the city has indicated that there also may be some interest in constructing a government building on the site.

For the above types of development to be considered, the subject property will be required to be reclassified, from C-3 to the M-U district. The C-3 district does not permit residential uses, which is the reason for the reclassification request.



Any reclassification (zone change) of property requires a public hearing before the planning commission and city council. Persons living within 300-feet of the subject property are notified by mail of the upcoming public hearing on the zone change. Further, a public hearing notice is published in a local paper that is widely circulated in the community.

The subject properties are currently vacant but in the past, served as an olive processing and collection site operated by Bell-Carter. Presently there exists some outbuildings, an area that houses fruit storage bins, and an expansive parking lot. The entire area is fenced although some portions of the fencing is in disrepair. Curb and gutter exist on all roads that surround subject site.



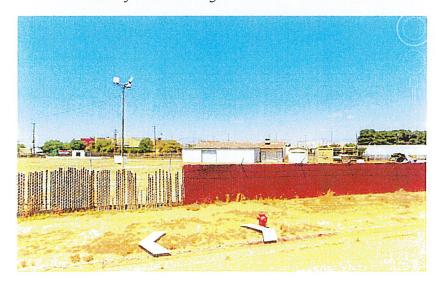
The subject site contains 2.76 acres and is trapezoid in shape.



The subject site looking south from West Railroad Avenue.



The subject site looking south from Ninth Street.



The subject site looking northeast from G Street.

Recommendation

That the Planning Commission approve First and Reading and Introduction of Zoning Ordinance Amendment No. 398, C-3 (Central Business and Shopping) to M-U (mixed-

- use) District and by adopting Resolution No. 2024-28 approving General Plan amendment No. 2024-02, subject to the following findings:
- 1. The amendment will not have an adverse impact on the health and safety on the nearby neighborhoods or the community at large.
- 3. The amendment will serve to implement Orange Cove's housing element by providing for additional lands for the construction of affordable multi-family housing.
- 4. The amendment will potentially remove the potential for land use conflicts between the lands that were in the past used for an olive collection and processing plant and the residential neighborhoods to the west and south.
- 5. The development of the subject properties into a mixed-use development will make for a more cohesive residential district in this quadrant of Orange Cove because the larger neighborhood will not be interrupted by an agricultural processing operation.
- 6. The development on the subject properties into high density residential development will generate school impact fees that will help pay for capital improvements on city school sites.
- 7. By eliminating the current industrial use of the subject property that exists between the residential districts to the west and south, the two districts could be connected by residential development rather than an agricultural processing/parking operation.
- 8. A categorical exemption was prepared on the "project" which indicated that the amendment would not have an adverse impact on the environment and in fact would have less of an impact on the immediate residential neighborhoods because the potential manufacturing related impacts such as noise, truck traffic, odor, vibrations, aesthetics, and other conflicts would be eliminated.

Discussion

As discussed above, the city of Orange Cove is wishing to reclassify 2.76 acres from the retail and shopping (C-3) district to the mixed-use (M-U) district.

Although no specific development plans have been submitted as of this date, certain design features will be required and are discussed below.

Access

The subject property has access from three roadways – West Railroad Avenue, G Street and Ninth Street. All are paved roadways. Any construction on the subject site will require the installation of a tree-lined parkway, sidewalks and curb and gutter where it is lacking.

All residential development will be required to construct off-street parking at a standard detailed in the Orange Cove Zoning Ordinance. For example, in the city's zoning ordinance, apartments are required to install 1.5 parking stalls per apartment unit; single family development requires 2 stalls per residential unit. Parking for any non-residential use would be based on the size and type of land use proposed.

Zoning

Currently, the subject property is zoned C-3 (Central Business and Shopping). This zone district permits a wide range of commercial uses including retail sales, restaurants, department stores, banks, hotels, and medical offices to name a few. The C-3 district does not residential uses.

The M-U district permits retail and shopping uses, second story residential uses, and group homes, and transitional and supportive housing.

Design Standards

The new draft Orange Cove Zoning Ordinance requires design standards to all new multi-family development. Design requirements include screening of parking, varied wall setbacks to create better building design, and varied wall treatments to make the building more interesting, lush landscaping, and public open space.

Infrastructure

Sidewalks and tree-lined parkways will be required to be installed along all road frontages. Further, any new development will require connection of the city's sewer, water, and storm drainage systems.

Landscaping and Hardscape

Street trees will be required to be installed along all street frontages. An automated irrigation system will also be required along with a root barrier for each tree.

Conclusion

The rezoning of the 2.76 acres will have a more positive impact on the community. The findings for this amendment indicate that the reclassification will serve to implement numerous policies in Orange Cove's general plan. Most importantly, the proposed rezoning of the subject property from commercial to mixed-use will result in two important community objectives: 1) provide more affordable housing in the community especially of lower-income households, and 2) eliminate the potential of land use conflicts between adjacent residential uses and the site's past use of an agricultural operation.

For the reasons discussed above staff it is recommended that the Planning Commission approved First Reading and Introduction of Ordinance No. 398 and adopt Resolution 2024-02 approving General Plan Amendment 2024-02.

BACKGROUND

Applicant:

City of Orange Cove

Designer: NA

Location: The subject property, which totals 2.75 acres, is located on the northeast corner of G and Ninth Streets in Orange Cove. The subject territory is composed of two parcels of land: APN 378-063-07 (2.17 acres) and 378-220-19 (.59 acres).

Request: The city is requesting a zoning ordinance amendment from the C-3 district to the M-U district. This request would cover 2.75 acres.

Design: No design has been provided

Land Use: Currently the subject property is vacant. Surrounding land uses are as follows:

North and East: Single-family dwelling, Fresno County Branch Library, and a used car dealership.

West: residential neighborhood

South: residential neighborhood

Site: The subject site, which contains 2.75 acres in total, generally has a width of 300 feet along Ninth Street and a depth of 630 feet along G Street. The total property is trapezoidal in shape.

Zone: The subject site is currently zoned to the C-3 district, retail and shopping. The city is requesting reclassification to the M-U district. The following are development standards for this district:

Minimum lot size: 10,000 square feet

Minimum lot width: no requirement

Minimum lot depth: no requirement

Front yard setback: building must be built to back of sidewalk

Rear yard setback: Five percent of lot depth

Side yard setback: no requirement

Surrounding lands are zoned as follows:

North: C-3 and Industrial

West: R-3, multi-family residential (one unit per 3,000 square feet)

East: Industrial

South: R-6, single-family residential (one unit per 6,000 square feet)

Gen. Plan:

The subject site is designated for "Commercial" by the Land Use Element. The proposed Mixed-Use district is consistent with the commercial designation of the land use element. The Circulation Element designates Ninth Street as a collector roadway.

Infrastructure: Sewer, water, and storm drainage lines are available to the subject property from Ninth Street, G Street and West Railroad Avenue.

CEQA: The proposed project will not have a significant impact on the environment and a categorical exemption has been prepared consistent with the California Environmental Quality Act.

CONFLICTS OF INTER	EST:				
None					
FISCAL IMPACT:					
There are no financial in	npacts.				
Shart	7				
Shun Patlan					
Director of Planning and	Building				
REVIEW: City Manager:	Finan	Finance:		City Attorney:	
TYPE OF ITEM:	COUNCIL ACTION:	APPROVED	DENIED	NO ACTION	
Consent			<u>x</u> Public F	learing	
Info Item			Matter	Initiated by a Council Member	
X_ Action Item Department Report			Other Continu	ued to:	
Redevelopment Agency					

ORDINANCE No. 398

AN ORDIANCE OF THE PLANNING COMMISSION OF THE CITY OF ORANGE COVE APPROVING ZONING ORDINANCE AMENDMENT No. 398, CITY OF ORANGE COVE

WHEREAS, the City of Orange Cove has requested a zoning ordinance amendment on 2.76 acres from the C-3 (Central Business and Shopping) district to the MU (Mixed-Use) district (see Exhibit A). Said property is situated on the northeast corner of G and Ninth Streets, located at 630 9th Street in Orange Cove, and

WHEREAS, said property is trapezoidal in shape and is contained in APNs 378-063-07 (2.17 acres) and 378-220-19 (.59 acres), and

WHEREAS, the Planning Department prepared a staff report on the tentative parcel map, and

WHEREAS, the Planning Department determined that the proposed project, zoning ordinance amendment, was categorically exempt under CEQA, and

WHEREAS, a public hearing notice was published in a local newspaper of general circulation, and said notice was sent to property owners within 300 feet of the subject site, and

WHEREAS, the Planning Commission reviewed the staff report at their October 8, 2024 meeting, and

WHEREAS, the Planning Commission held a public hearing on said zoning ordinance amendment, and received public testimony both for and against, and

WHEREAS, the Planning Commission, after reviewing the staff report prepared on said amendment, accepted public testimony, and made the following findings:

1. The amendment will not have an adverse impact on the health and safety on the nearby neighborhoods or the community at large.

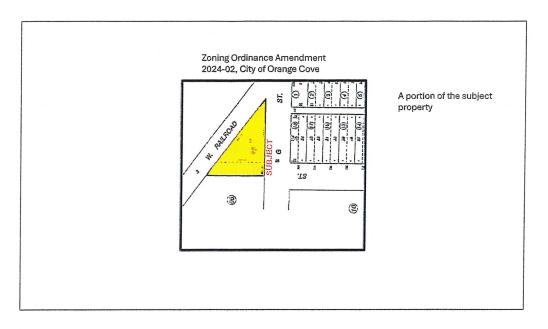
- 3. The amendment will serve to implement Orange Cove's housing element by providing for additional lands for the construction of affordable multi-family housing.
- 4. The amendment will potentially remove the potential for land use conflicts between the lands that were in the past used for an olive collection and processing plant and the residential neighborhoods to the west and south.
- 5. The development of the subject properties into a mixed-use development will make for a more cohesive residential district in this quadrant of Orange Cove because the larger neighborhood will not be interrupted by an agricultural processing operation.
- 6. The development on the subject properties into high density residential development will generate school impact fees that will help pay for capital improvements on city school sites.
- 7. By eliminating the current industrial use of the subject property that exists between the residential districts to the west and south, the two districts could be connected by residential development rather than an agricultural processing/parking operation.
- 8. A categorical exemption was prepared on the "project" which indicated that the amendment would not have an adverse impact on the environment and in fact would have less of an impact on the immediate residential neighborhoods because the potential manufacturing related impacts such as noise, truck traffic, odor, vibrations, aesthetics, and other conflicts would be eliminated.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Orange Cove hereby recommends approval of Zoning Ordinance Amendment No. 398 to the Orange Cove City Council.

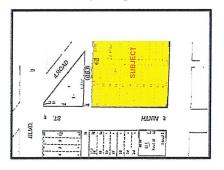
The foregoing Ordinance No. 398 re	solution was adopted upon a motion of
Planning Commission member	, second by Planning
Commission member	at a regular meeting of the Orange Cove
Planning Commission on the 8th day	of October, 2024, by the following roll call
vote:	

AYES:
NOES:
ABSTAIN:
ABSENT:
Chairperson of the Planning Commission
ATTEST:
Cynthia Cisneros, City Clerk

EXHIBIT "A" ZONING ORDINANCE AMENDMENT No. 398, C-3 TO THE M-U DISTRICT



Zoning Ordinance Amendment 2024-02, City of Orange Cove



A portion of the subject property

PC RESOLUTION No. 2024-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE COVE APPROVING GENERAL PLAN AMENDMENT No. 2024-02, CITY OF ORANGE COVE

WHEREAS, the City of Orange Cove has requested a General Plan Amendment on 2.76 acres from the Central Business Shopping to Mix Use (see Exhibit A). Said property is situated on the northeast corner of G and Ninth Streets, located at 630 9th Street in Orange Cove, and

WHEREAS, said property is trapezoidal in shape and is contained in APNs 378-063-07 (2.17 acres) and 378-220-19 (.59 acres), and

WHEREAS, the Planning Department prepared a staff report on the General Plan Amendment(s); and

WHEREAS, the Planning Department determined that the proposed project, General Plan Amendment, was categorically exempt under CEQA, and

WHEREAS, a public hearing notice was published in a local newspaper of general circulation, and said notice was sent to property owners within 300 feet of the subject site, and

WHEREAS, the Planning Commission reviewed the staff report at their October 8, 2024 meeting, and

WHEREAS, the Planning Commission held a public hearing on said general plan amendment, and received public testimony both for and against, and

WHEREAS, the Planning Commission, after reviewing the staff report prepared on said amendment, accepted public testimony, and made the following findings:

- 1. The amendment will not have an adverse impact on the health and safety on the nearby neighborhoods or the community at large.
- 3. The amendment will serve to implement Orange Cove's housing element by providing for additional lands for the construction of affordable multi-family

housing.

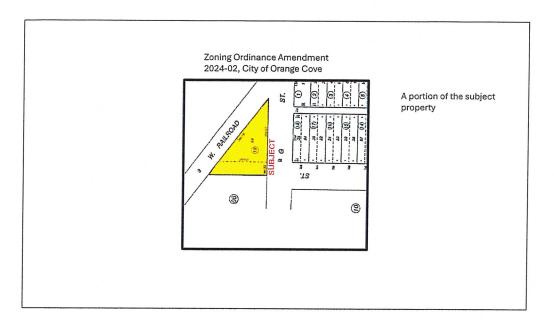
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NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Orange Cove hereby recommends approval of General Plan Amendment 2024-02 to the Orange Cove City Council.

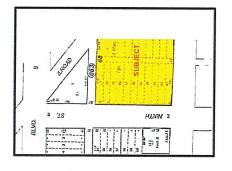
The foregoing PC Resolution No. 2024-	-03 was adopted upon a motion of
Planning Commission member	, second by Planning
Commission member	_ at a regular meeting of the Orange Cove
Planning Commission on the 8th day o	f October, 2024, by the following roll call
vote:	

AYES:
NOES:
ABSTAIN:
ABSENT:
Chairperson of the Planning Commission
ATTEST:
Cynthia Cisneros, City Clerk
Cyntina Cistieros, City Clerk

EXHIBIT "A"
GENRAL PLAN AMENDMENT No. 2024-02, COMMERCIAL TO MIX USE



Zoning Ordinance Amendment 2024-02, City of Orange Cove



A portion of the subject property