## LEMOORE PLANNING COMMISSION Regular Meeting AGENDA Lemoore Council Chamber 429 'C' Street

# November 14, 2022 7:00 p.m.

#### 1. PLEDGE OF ALLEGIANCE

## 2. CALL TO ORDER AND ROLL CALL

#### 3. PUBLIC COMMENT

**Public comment will be in accordance with the attached policy.** This time is reserved for members of the audience to address the Planning Commission on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Commission. It is recommended that speakers limit their comments to three (3) minutes each and it is requested that no comments be made during this period on items on the Agenda. The Commission is prohibited by law from taking any action on matters discussed that are not on the Agenda. Prior to addressing the Commission, any handouts for Commission will be provided to the Commission Secretary for distribution to the Commission and appropriate staff. The public will have an opportunity to comment on items on the agenda once the item has been called and the Chair opens the item to the public.

- 4. APPROVAL OF MINUTES Regular Meeting, August 8, 2022
- 5. PUBLIC HEARING A request by AMG & Associates, LLC for approval of Major Site Plan Review No. 2022-05 to construct an affordable housing apartment complex consisting of 108 residential units with a community building, laundry building, outdoor pool, tot lot, and dog park on an undeveloped 4.92-acre site. The site is currently owned by the City of Lemoore, was purchased by the former Redevelopment Agency for the purpose of providing affordable housing and would be sold to the applicant in accordance with the requirements of Surplus Property Land Act. The project is located on the southeast corner of East D Street and Smith Avenue in the City of Lemoore (APN 023-020-064 and 023-020-065).
- 6. DIRECTOR'S REPORT

#### 7. COMMISSION REPORTS / REQUESTS

8. ADJOURNMENT

<u>Upcoming Meetings</u> Regular Meeting of the Planning Commission, December 12, 2022

Agendas for all City Council meetings are posted at least 72 hours prior to the meeting at the Council Chamber, 429 C Street and the Cinnamon Municipal Complex, 711 W. Cinnamon Drive. Written communications from the public for the agenda must be received by the City Clerk's Office no less than seven (7) days prior to the meeting date. The City of Lemoore complies with the Americans with Disabilities Act (ADA of 1990). The Council Chamber is accessible to the physically disabled. Should you need special assistance, please call (559) 924-6744, at least 4 business days prior to the meeting.

## CERTIFICATION OF POSTING

I, Kristie Baley, Planning Commission Secretary for the City of Lemoore, declare under penalty of perjury that I posted the above Planning Commission Agenda for the Meeting of November 14, 2022, at Council Chamber, 429 C Street and Cinnamon Municipal Complex, 711 W. Cinnamon Drive, Lemoore CA on November 10, 2022.

//s// Kristie Baley, Commission Secretary

## CITY OF LEMOORE PLANNING COMMISSION REGULAR MEETING November 14, 2022 @ 7:00 p.m.

## Attendance and Public Comment Changes Due to COVID-19

The Lemoore Planning Commission will be conducting its regular meeting on November 14, 2022. Given the current Shelter-In-Place covering Kings County and the Social Distance Guidelines issued by Federal, State, and Local Authorities, the City is implementing the following changes for attendance and public comment.

All upcoming regular and special Planning Commission meetings <u>will be open to fifteen (15)</u> <u>members of the public on a first come, first served basis and via Zoom.</u> The meeting may be viewed through the following options:

- Join Zoom Meeting
- Please click the link below to join the webinar:
- <u>https://us06web.zoom.us/j/84627532415?pwd=bHI1MjRXLy9uRnIra2tJVTBoekp3Zz0</u> 9
- Meeting ID: 846 2753 2415
- Passcode: 413162
- Phone: +1 669 900 6833 US

The City will also provide links to streaming options on the City's website.

If you wish to make a general public comment or public comment on a particular item on the agenda, **participants may do so via Zoom during the meeting** or by **submitting public comments by e-mail to**: planning@lemoore.com. In the subject line of the e-mail, please state your name and the item you are commenting on. If you wish to submit a public comment on more than one agenda item, please send a separate e-email for each item you are commenting on. Please be aware that written public comments, including your name, may become public information. Additional requirements for submitting public comments by e-mail are provided below.

# General Public Comments & Comments on Planning Commission Business Items

For general public comments and comments regarding specific Planning Commission Business Items, public comments can be made via Zoom during the meeting or all public comments must be received by e-mail no later than 5:00 p.m. the day of the meeting. Comments received by this time will be read aloud by a staff member during the applicable agenda item, provided that such comments may be read within the normal three (3) minutes allotted to each speaker. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions. If a general public comment or comment on a business item is received after 5:00 p.m., efforts will be made to read your comment into the record. However, staff cannot guarantee that written comments received after 5:00 p.m. will be read. All written comments that are not read into the record will be made part of the meeting minutes, provided that such comments are received prior to the end of the Planning Commission meeting.

# Public Hearings

For public comment on a public hearing, all public comments must be received by the close of the public hearing period. All comments received by the close of the public hearing period will be read aloud by a staff member during the applicable agenda item, provided that such comments may be read within the normal three (3) minutes allotted to each speaker. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions. If a comment on a public hearing item is received after the close of the public hearing, such comment will be made part of the meeting minutes, provided that such comment is received prior to the end of the meeting.

# \*PLEASE BE AWARE THAT ANY PUBLIC COMMENTS RECEIVED THAT DO NOT SPECIFY A PARTICULAR AGENDA ITEM WILL BE READ ALOUD DURING THE GENERAL PUBLIC COMMENT PORTION OF THE AGENDA.\*

The City thanks you for your cooperation in advance. Our community's health and safety is our highest priority.

# Minutes of the LEMOORE PLANNING COMMISSION Regular Meeting August 8, 2022

ITEM NO. 1 Pledge of Allegiance

ITEM NO. 2 Call to Order and Roll Call

 The meeting was called to order at 7:00 PM.

 Chair:
 Michael Dey

 Vice Chair:
 Greg Franklin

 Commissioners:
 Bob Clement, Mitchell Couch, Ray Etchegoin, Ron Meade

 Absent:
 Joseph Brewer

City Staff and Contract Employees Present: City Planner Steve Brandt (QK), City Attorney Michael Linden (Lozano Smith), Commission Secretary Kristie Baley

ITEM NO. 3 Public Comment

There was no comment.

ITEM NO. 4 Approval - Minutes – Regular Meeting, July 11, 2022

Motion by Commissioner Clement, seconded by Commissioner Franklin, to approve the Minutes of the Planning Commission Regular Meeting of July 11, 2022.

Ayes: Clement, Franklin, Etchegoin, Couch, Meade, Dey Absent: Brewer

ITEM NO. 5 Report and Recommendation – A request by CV Housing, LLC (Brett Fugman, agent) to extend approval of Major Site Plan Review No. 2016-03, Tentative Parcel Map No. 2020-01, Minor Site Plan Review 2020-03, and accompanying Planning entitlements for one year. The project is located on the southeast corner of Hanford-Armona Road and SR 41 (APN 021-660-031).

City Planner Brandt presented the staff report and answered questions.

Motion by Commissioner Meade, seconded by Commissioner Franklin, to adopt Resolution No. 2022-09, approving a One Year time extension of Major Site Plan Review No. 2016-03, Tentative Parcel Map No. 2020-01, Minor Site Plan Review No. 2020-03 and accompanying Planning entitlements to November 25, 2023, in accordance with the findings and conditions in the resolution.

Ayes: Meade, Franklin, Clement, Couch, Etchegoin, Dey

## Absent: Brewer

ITEM NO. 6 Public Hearing – A request by Victory Pharris Lemoore (Tim Palmquist, agent) to extend approval of Vesting Tentative Subdivision Map No. 2005-02, Victory Village Tract 845 and accompanying Planning entitlements for one year (APN: 023-510-055).

City Planner Brandt presented the staff report and answered questions.

Lemoore resident Tim Young, W. Bush Street, asked if the development is proposed to be single-family or multi-family.

Tim Palmquist, agent provided clarification and an update on the project.

Motion by Commissioner Etchegoin, seconded by Commissioner Meade, to adopt Resolution No. 2022-10, approving a one-year extension of time for the Vesting Tentative Subdivision Map No. 2005-02, Victory Village Tract 845 and accompanying Planning entitlements to August 7, 2023, in accordance with the findings and conditions in the resolution.

Ayes: Etchegoin, Meade, Clement, Couch, Franklin, Dey Absent: Brewer

ITEM NO. 7 Public Hearing – Major Site Plan Review No. 2022-01, Conditional Use Permit No. 2022-01, and Administrative Use Permit Nos. 2022-01 and 2022-02: a request by Bottom Line Development (Orlando Ramirez, representative) to construct a convenience store with off-sale alcohol sales, deli/food service with drive-through, and a nine-pump fuel station; a mechanical car wash facility with a washing tunnel and a self-service vacuum area; and a quick service restaurant with a drive-through. The site is located on the southwest corner of Bush Street and 19th Avenue, within the City of Lemoore (APN 023-420-018).

City Attorney Linden notified the Commission that he provided Attorney services between 2016 and 2020 for the City of Clovis and represented Orlando Ramirez during his tenure but stated he did not see a potential conflict of interest in now representing the City of Lemoore.

Commissioners agreed that there was no potential conflict.

City Planner Brandt presented the staff report and answered questions.

Commissioner Dey opened the public hearing at 7:28 p.m.

Bottom Line Development representatives Orlando Ramirez and Seth Ramirez provided project information.

Lemoore Resident Tim Young, W. Bush Street, asked questions about hours of operation and expressed concern with regard noise at the car wash exit.

Brandt and the applicant answered Commissioners questions.

Commissioner Dey closed the public hearing at 7:38 p.m.

Motion by Commissioner Franklin, seconded by Commissioner Couch, to adopt Resolution No. 2022-11, approving Major Site Plan Review No. 2022-01, Conditional Use Permit No. 2022-01, Administrative Use Permit No. 2022-01, and Administrative Use Permit No. 2022-02, in accordance with the findings and conditions in the resolution.

Condition to be added to resolution: A 4-foot-high block wall shall be installed in the landscaped area of the site directly north of the car wash exit.

Ayes: Franklin, Couch, Clement, Meade, Dey Noes: Etchegoin Absent: Brewer

ITEM NO. 8 Director's Report

Brandt provided the following information:

City Manager Olson is away on vacation.

The three annexation requests (Lacey Ranch/Tract 930, Casaca/Peoples Cannabis, and Batth/ Peoples Cannabis, as well as the Sphere of Influence and Municipal Services Review drafted by the City were approved by Kings Local Agency Formation Commission (LAFCO) during their July LAFCO meeting. There were no negative comments received from the public.

A potential project to develop the remainder of the vacant 19<sup>th</sup> Avenue and Bush Street site has been proposed, but an application has not been received.

The City received permitting approval for use of Tertiary Water from the Wastewater Treatment Plant to irrigate cannabis cultivation.

Kings County Association of Governments (KCAG) hired a consultant to conduct an analysis of housing availability/need and provide a methodology for the 6<sup>th</sup> round Housing Element. Cities within Kings County participate in the process and use the analysis to include the numbers in the General Plan, this portion of which must be approved by the State.

KCAG is working on the Regional Transportation Plan and Sustainable Communities Strategy as well.

ITEM NO. 9 Commissioner's Reports and Requests for Information

Commissioner Dey asked if FEMA grant money has been awarded for the Emergency Shelter/Olympic Sports Facility proposed to be located near West Hills College.

Commissioner Dey thanked staff and gave a shout out to educators.

ITEM NO. 10 Adjournment

The meeting adjourned at 8:06 P.M.

Approved the 14<sup>th</sup> day of November 2022.

APPROVED:

ATTEST:

Michael Dey, Chairperson

Kristie Baley, Commission Secretary



711 W Cinnamon Drive • Lemoore, California 93245 • (559) 924-6744

# Staff Report

To: Lemoore Planning Commission

Item No. 5

From: Steve Brandt, City Planner

Date:November 7, 2022Meeting Date:November 14, 2022

Subject: Major Site Plan Review No. 2022-05: a request by AMG & Associates, LLC to construct an affordable housing apartment complex consisting of 108 residential units with a community building, laundry building, outdoor pool, tot lot, and dog park on an undeveloped 4.91-acre site. The site is currently owned by the City of Lemoore, was purchased by the former Redevelopment Agency for the purpose of providing affordable housing, and would be sold to the applicant in accordance with the requirements of the Surplus Property Land Act. The site is located at the southeast corner of East D Street and Smith Avenue in the City of Lemoore (APNs 023-020-064 and 023-020-065).

# Proposed Motion:

Move to adopt Resolution No. 2022-12, approving Major Site Plan Review No. 2022-05 and accompanying Planning entitlements, in accordance with the findings and conditions in the resolution.

# Project Proposal:

The proposed project, the Smith Street Apartments, is a 108-unit affordable housing apartment complex located on a combined 4.91 acres of land identified by APNs 023-020-064 and 023-020-065. The development proposes to have five three-story apartment buildings with a mix of 12 one-bedroom units (568 sq. ft.), 24 two-bedroom units (799 sq. ft.), 36 two-bedroom units (761 sq. ft.), and 36 three-bedroom units (1,077 sq. ft). Thirty-six units are designated as ADA-accessible units. The affordable housing project would target families earning between 30–60 percent of the median income for Kings County. There would be a separate community building with a laundry room and a second laundry room in a standalone building. The complex would also include a tot lot, pool, picnic tables, and dog park.

Applicant	AMG & Associates, LLC
Location	Southeast corner of East D Street at Smith Avenue
Existing Land Use	Vacant
APN(s)	023-020-064 and 023-020-065
Total Building Size	92,160 total square feet residential
Total Building Size	92,160 total square feet residential 3,481 square feet for Community Center
Total Building Size	
Total Building Size Zoning	3,481 square feet for Community Center
	3,481 square feet for Community Center 515 square feet for Laundry Building

# Adjacent Land Use, Zone, and General Plan Designation

<b>Direction</b>	Current Use	Zone	<u>General Plan</u>
North	Single-family residences	RLD	Low Density Residential
South	Single-family residences	RN and RLD	Low Density Residential
East	Single-family residences	RN	Low Density Residential
West	Single-family residences	RN	Low Density Residential

# Previous Relevant Actions:

The site is currently owned by the City of Lemoore and was purchased by the former Lemoore Redevelopment Agency. It was purchased with the intent of developing the site with affordable housing units. The City intends to sell the site to AMG & Associates, LLC. In accordance with the requirements of the Surplus Property Land Act, the City of Lemoore first made the site available to local public agencies.

When no interest was shown, the City then made the site available to developers of affordable housing. Three letters of interest were received. After following a preset scoring process, City staff recommended AMG to the City Council. The Council, on October 6, 2022, accepted AMG's offer to purchase and directed the City Manager to open escrow. The Site Plan being proposed is consistent with the details of AMG's offer to purchase.

# Zoning/General Plan:

The site is zoned Medium Density Residential (RMD), and the General Plan designation is Medium Density Residential. Multi-family housing is a permitted use in this zone.

# Access and Right of Way:

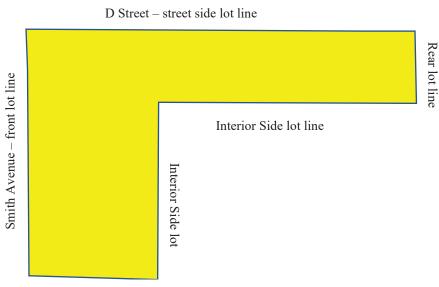
Access to the site will be primarily from a drive entry located on East D Street, with a second access point from Oleander Avenue along the south side of the site, just east of its intersection with Smith Avenue.

East D Street would be widened and completed in accordance with its collector street status. Smith Avenue and Oleander Avenue are local streets. Smith Avenue's right of way width is five feet narrower than the City standard, although the street pavement width is standard. The loss of five feet occurs between the easterly curb and the site's property line.

There would be a wrought iron fence around the perimeter of the site with gates at several locations. The driveway entrances would not be gated.

## **Building Setbacks**

Because its irregular shape can lead to some confusion about building setbacks, Exhibit 1 shows which sides of the property are considered the front, side, and rear. Table 1 shows the required building setback, the proposed building setback, and whether the required setback is being met. The applicant is asking for a density bonus concession to allow less than the required front and street-side building setbacks.



## Exhibit 1

Oleander Avenue – street side lot line

Location	Standard Minimum Building Setback	Requested Building Setback	Compliance
East D Street – street side	15 feet	10 feet	NO
Smith Avenue - front	15 feet	10 feet	NO
Oleander Avenue – street sid	le 15 feet	10 feet	NO
Interior side lot line	10 feet**	> 50 feet	YES
Rear lot line	10 feet	> 100 feet	YES
Separation between building	s 10 feet	10 feet	YES

# Table 1 Standard Building Setback Compliance

\*\*There is no minimum setback requirement for carports located on the side or rear property lines when constructed of non-combustible materials. The carports will be constructed of metal.

# Parking / On-site Circulation:

Based on the number and types of housing units proposed, the City parking standards require 240 on-site parking spaces. The project proposes a total of 161 parking stalls: 91 standard-sized covered spaces, 45 standard-sized uncovered spaces, 17 covered ADA spaces, and 8 uncovered ADA spaces. Fifteen spaces will be designated for electric vehicle charging in locations to be determined.

KART has requested a bus stop on the south side of East D Street, just east of Smith Avenue. East D Street would be wide enough, east of the bus stop, to accommodate parallel on-street parking if the on-site parking spaces are full.

# **Density Bonus:**

Chapter 9 Article G, Sections 9-5G-2 and 9-5G-4, Affordable Housing Incentives (the City's Density Bonus Ordinance) allow for a maximum bonus of 35 percent because the project is providing all lower income target units. The size of the site would normally allow up to 85 units per the maximum allowed density in the RMD zone. A 35 percent bonus allows the developer to propose up to 114 units; 108 units are proposed. This calculates to an overall site density of 22 units per acre.

## **Incentives and Concessions:**

The City's Density Bonus Ordinance allows for as many as three design standard concession requests if the development meets the following requirements:

Three incentives or concessions for projects that include at least 30 percent of the total units for lower-income households, at least 15 percent for very low-income households, or at least 30 percent 30 for persons and families of moderate income in a common interest development.

Since these requirements will be met, the following requests for concessions are being made by the developer:

- The first concession request is for a reduction of the building setback requirement on both the front setback (Smith Avenue) and the street side setback (D Street) from the City standard of 15 feet to a proposed 10 feet.
- The second concession request is a reduction in the number of required parking spaces required for the entire development from the required City standard of 204 to the proposed 161. The amount of required ADA-compliant spaces is met within the proposed amount.
- The third concession request is for a modification of the City standard local residential street cross-section widths from the required 60 feet to 55 feet.

City staff supports approval of the requested concessions. The Public Works Director worked with the developer on the Smith Avenue revised street cross-section.

# Bicycle Parking:

On-site bicycle parking, not shown on the Site Plan, will provide for permanently anchored bicycle racks within 100 feet of the building entrances, readily visible to passers-by. The building code will determine the actual number of spaces.

# ADA walkway compliance:

In the staff review of the Site Plan, it was brought to our attention by a CASP-certified member that one of the crossings is not ADA-compliant. Staff can work with the developer to modify the crossing during the building permit phase.

# Signage:

Any new signage would be required to meet City Zoning Ordinance.

# Environmental Assessment:

The project is exempt from the California Environmental Quality Act (CEQA) per Class 32 Categorical Exemption: Section 15332 - Infill Development Projects.

# **Recommended Approval Findings:**

City staff recommends that the following findings be made based upon a review of the project as described in this staff report:

- 1. The proposed project is consistent with the objectives of the General Plan and complies with applicable zoning regulations, specific plan provisions, and improvement standards adopted by the City.
- 2. The proposed project does not exceed the total density under the base zoning district or the General Plan land use designation; however, it does qualify for density bonuses per Chapter 9, Articles G 9-5G-2 and 9-5G-4 of the City of Lemoore Municipal Code.

- 3. The project's lot sizes are consistent with densities in the General Plan and are appropriate for this site.
- 4. The proposed project will not be substantially detrimental to the adjacent property and will not materially impair the purposes of the Zoning Ordinance or the public interest.
- 5. The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.
- 6. The architecture, character, and scale of the building and the site are compatible with the character of buildings on adjoining and nearby properties.
- 7. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.
- 8. The Categorical Exemption 15332 is appropriate to be utilized for the evaluation of the environmental impacts of this project, in accordance with CEQA.
- 9. Allowing the density increases proposed in this project would assist the City of Lemoore in meeting its goals to supply affordable and available housing units.

# Recommended Conditions:

Staff recommends the following conditions be applied to the approval of Major Site Plan Review No. 2022-05:

- 1. The site shall be developed consistent with the approved Major Site Plan Review No. 2022-05 and its conditions, comments, and applicable development standards found in the City of Lemoore Zoning Ordinance and City Municipal Code.
- 2. Plans for all public and private improvements, including, but not limited to, water, sewer, storm drainage, road pavement, curb and gutter, sidewalk, street lights, landscaping, and fire hydrants shall be approved by the City Engineer, and these improvements shall be completed in accordance with the approved plans to the satisfaction of the Public Works Department.
- 3. The project shall be subject to applicable development impact fees adopted by the Resolution of the City Council.
- 4. Deviations from the approvals shall first require approval of an amendment to this Major Site Plan Review.
- 5. The developer shall comply with the standards, provisions, and requirements of the San Joaquin Valley Air Pollution Control District that relate to the project.
- 6. Fire hydrant types and locations shall be approved by the Lemoore Fire Department.
- 7. Concrete pads for the installation of common mailbox units shall be provided in accordance with determinations made by the Lemoore Postmaster.

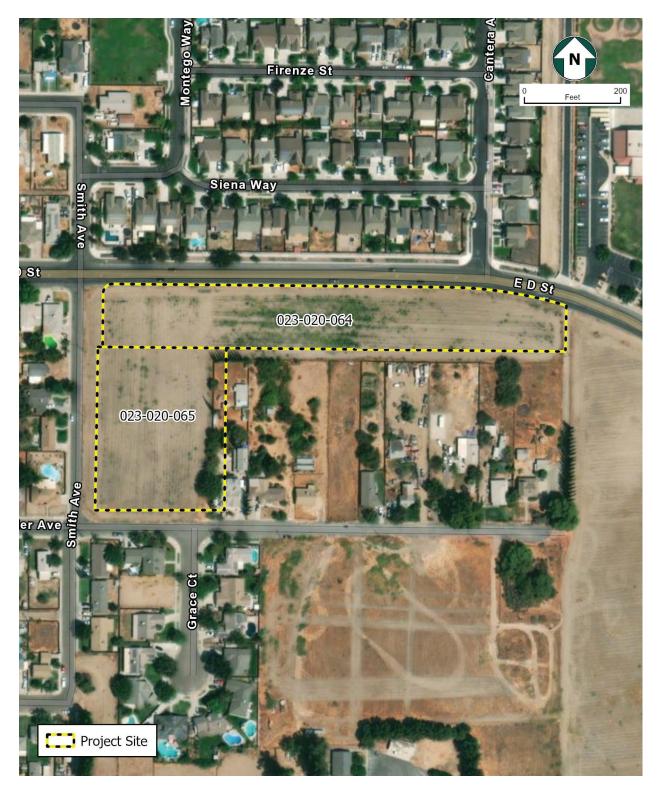
- 8. Street trees from the City approved street tree list shall be planted with root barriers as per Public Works standards and specifications.
- 9. Street lights shall be provided within the project as per city local street lighting standards.
- 10. All sidewalks, paths of travel, and crossings shall be ADA-compliant.
- 11. Coordinate with KART for proposed transportation stop locations(s) on or near the site.
- 12. Any damage to existing roadways, sidewalks, or curb and gutter that occurs during construction shall be repaired or replaced to the satisfaction of the Public Works Department.
- 13. The project and all subsequent uses must meet the requirements found in Section 9-5B-2 of the Zoning Ordinance related to noise, odor, vibration, and maintenance.
- 14.A Lot Line Adjustment to merge the two parcels shall be completed prior to the approval of a building permit.
- 15. The time limits and potential extensions and expiration of this Major Site Plan Review are established per Section 9-2A-9 of the City of Lemoore Zoning Ordinance.

# Attachments:

Vicinity Map Site Plan and Renderings (also see A1-1 for Site Plan) Resolution Site Plan Comments CEQA Notice of Exemption with Class 32 Findings Checklist A1-1 - Site plan A2-1 - Unit plans (2) A3-1a - Floor plan - Community Bldg A3-2 - Exterior elevations - Community Bldg A3-3 - Color - material board – Bldg #400 A4-1a - 1st floor plan - Bldg- type A A4-1b - 2nd floor plan - Bldg- type A A4-1c - 3rd floor plan - Bldg- type A A4-2 - Exterior elevations - Bldg- type A A4-3a - Color - material board – Bldg #200 & 600 A4-3b - Color - material board – Bldg #200 & 600 A4-3c - Color - material board – Bldg #100 & 400 A4-3d - Color - material board – Bldg #100 & 400 A5-1a - 1st floor plan - Bldg- type B A5-1b - 2nd floor plan - Bldg- type B A5-1c - 3rd floor plan - Bldg- type B A5-2 - Exterior elevations - Bldg- type B

- A5-3 Color Material board Bldg #800
  A6-1 Floor plan Laundry Bldg
  A6-2 Exterior elevations Laundry Bldg
  A6-3 Color material board Laundry Bldg
- A7-1 Renderings

# Vicinity Map MSPR NO. 2022-05





#### **RESOLUTION NO. 2022-12**

#### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE APPROVING MAJOR SITE PLAN REVIEW NO. 2022-05, FOR THE DEVELOPMENT OF AN AFFORDABLE HOUSING APARTMENT COMPLEX ON A 4.91-ACRE PARCEL LOCATED ON THE SOUTHEAST CORNER OF EAST D STREET AND SMITH AVENUE IN THE CITY OF LEMOORE

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on November 14, 2022, at 7:00 p.m. on said day, it was moved by Commissioner \_\_\_\_\_\_, seconded by Commissioner \_\_\_\_\_\_, and carried that the following Resolution be adopted:

WHEREAS, AMG & Associates, LLC has requested approval of Major Site Plan Review No. 2022-05 to allow an affordable housing apartment complex to be located at the southeast corner of the intersection of East D Street and Smith Avenue in the City of Lemoore (APNs 023-020-064 and 023-020-065); and,

**WHEREAS,** the proposed site is 4.91 acres in size and is zoned Medium Density Residential (RMD); and,

**WHEREAS,** the project proposes 108 family units in five different buildings with a density of 22 units per acre; and,

**WHEREAS**, the developer qualifies to receive density bonuses per Chapter 9 Articles G 9-5G-2 and 9-5G-4 of the Lemoore Municipal Code and is allowed up to three Incentives or Concessions to required development standards; and,

WHEREAS, the developer has requested three Concessions for the project; and,

**WHEREAS**, a Class 32 Categorical Exemption from Section 15332 – Infill Development Projects, has been prepared pursuant to the California Environmental Quality Act (CEQA); and,

**WHEREAS**, the Lemoore Planning Commission held a duly noticed public hearing at a November 14, 2022, Regular Meeting.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Lemoore hereby makes the following findings regarding the proposed project, based on facts detailed in the November 14, 2022, Staff Report, which is hereby incorporated by reference, as well as the evidence and comments presented during the Public Hearing:

- 1. The proposed project is consistent with the objectives of the General Plan and complies with applicable zoning regulations, specific plan provisions, and improvement standards adopted by the City.
- The proposed project does not exceed the total density under the base zoning district or the General Plan land use designation; however, it does qualify for density bonuses per Chapter 9, Articles G 9-5G-2 and 9-5G-4 of the City of Lemoore Municipal Code.
- 3. The project's lot sizes are consistent with densities in the General Plan and are appropriate for this site.

- 4. The proposed project will not be substantially detrimental to the adjacent property and will not materially impair the purposes of the Zoning Ordinance or the public interest.
- 5. The proposed architecture, site design, and landscape are suitable for the purposes of the building, and the site and will enhance the character of the neighborhood and community.
- 6. The architecture, character, and scale of the building and the site are compatible with the character of buildings on adjoining and nearby properties.
- 7. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.
- 8. The Categorical Exemption 15332 is appropriate to be utilized for the evaluation of the environmental impacts of this project, in accordance with CEQA.
- 9. Allowing the density increases proposed in this project would assist the City of Lemoore in meeting its goals to supply affordable and available housing units.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Lemoore hereby adopts the Notice of Exemption prepared for the project in accordance with CEQA and approves Major Site Plan Review No. 2022-05 subject to the following conditions:

- 1. The site shall be developed consistent with the approved Major Site Plan Review No. 2022-05 and its conditions, comments, and applicable development standards found in the City of Lemoore Zoning Ordinance and City Municipal Code.
- 2. Plans for all public and private improvements, including, but not limited to, water, sewer, storm drainage, road pavement, curb and gutter, sidewalk, street lights, landscaping, and fire hydrants shall be approved by the City Engineer, and these improvements shall be completed in accordance with the approved plans to the satisfaction of the Public Works Department.
- 3. The project shall be subject to applicable development impact fees adopted by the Resolution of the City Council.
- 4. Deviations from the approvals shall first require approval of an amendment to this Major Site Plan Review.
- 5. The developer shall comply with the standards, provisions, and requirements of the San Joaquin Valley Air Pollution Control District that relate to the project.
- 6. Fire hydrant types and locations shall be approved by the Lemoore Fire Department.
- 7. Concrete pads for the installation of common mailbox units shall be provided in accordance with determinations made by the Lemoore Postmaster.
- 8. Street trees from the City approved street tree list shall be planted with root barriers as per Public Works standards and specifications.
- 9. Street lights shall be provided within the project as per City local street lighting standards.
- 10. All sidewalks, paths of travel, and crossings shall be ADA-compliant.

- 11. Coordinate with KART for proposed transportation stop locations(s) on or near the site.
- 12. Any damage to existing roadways, sidewalks, or curb and gutter that occurs during construction shall be repaired or replaced to the satisfaction of the Public Works Department.
- 13. The project and all subsequent uses must meet the requirements found in Section 9-5B-2 of the Zoning Ordinance, related to noise, odor, vibration, and maintenance.
- 14. A Lot Line Adjustment to merge the two parcels shall be completed prior to the approval of a building permit.
- 15. The time limits and potential extensions and expiration of this Major Site Plan Review are established per Section 9-2A-9 of the City of Lemoore Zoning Ordinance.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on November 14, 2022, by the following votes:

AYES: NOES: ABSTAINING: ABSENT:

APPROVED:

Michael Dey, Chairperson

ATTEST:

Kristie Baley, Commission Secretary



711 W. Cinnamon Drive • Lemoore, CA 93245 • Planning (559) 924-6744 Community Development Department

# Major Site Plan Review – 1st. Submittal

To: AMG & Associates, LLC

From: Steve Brandt, City Planner

Date: October 27, 2022

- Subject: Major Site Plan Review No. 2022-05: a request by AMG & Associates for Major Site Plan Review of an affordable housing apartment complex of 108 residential units with a community building, laundry building, outdoor pool, tot lot, and dog park located at the southeast corner of East D Street and Smith Avenue in the City of Lemoore (APNs 023-020-064 and 023-020-065).
- $\boxtimes$  Site Plan is acceptable as proposed. All applicable comments are marked with an  $\boxtimes$ . <u>Proceed to submittal for</u>: **Planning Commission review**
- □ Site Plan requires minor changes that are described in the attached Department comments, mark-ups, and/or checklists. All applicable comments are marked with an ⊠. The Site Plan does not need to be reviewed again. <u>Make described changes and proceed to submittal for</u>:
- □ Site Plan requires changes that are described in the attached Department checklists. All applicable comments are marked with an ⊠. <u>Make described changes and</u> <u>resubmit the Site Plan for further review.</u>

Zoning/General Plan:	The site is designated Medium Density Residential in the General Plan. The site is zoned RMD (Medium Density Residential) in the Zoning Ordinance.
Environmental Review:	The project is categorically exempt from further CEQA review. Section 15332, Class 32 – Infill Development.
Attached Comments:	Planning Site Plan Review Comments Engineering Site Plan Review Comments Fire Department Site Plan Review Comments PG&E Initial Response Letter



SITE PLAN N	0:
PROJECT TIT	LE:
DATE:	
DESCRIPTIO	N:
APPLICANT:	
PROPERTY (	WNER
LOCATION: .	
APN(S):	

 2022-05
 LE: Smith Avenue Apartments October 26, 2022
 I: 4.91 acre Medium Density Residential Apartments AMG & Associates, LLC
 WNER: Lemoore Redevelopment Agency SE Corner of East D Street and Smith Avenue 023-020-064 and 023-020-065

# **PLANNING**

The following comments are applicable when checked. Comments in *italics* are specific to the project.

## **Project Information**

General Plan Land Use Element land use designation(s):	Medium Density Residential
--	----------------------------

$\boxtimes$ General Plan Circulation Element adjacent street(s):	East D Street is an Arterial Street
--	-------------------------------------

Zoning designation: Medium Density Residential (RMD)

Proposed land use: *Multi-Family Dwellings* 

Allowed use Not allowed use Requires a conditional use permit

## Site Plan Comments

## Revisions to the site plan are required if <u>Revise</u> is checked.

Site Area Stand	ards (Chapter 9-5A)	Required	Proposed	Notes
Acceptable Revise N/A	Site area per dwelling units (minimum)	2,500 sf per unit (6.2/ac needed)	209,433.28 sf/ 108 units	Maximum affordable housing density bonus of 35% allows up to 114 units
Acceptable Revise N/A	Lot size (minimum)	2,000 sf	4.91 ac	
Acceptable Revise N/A	Lot size (maximum)		4.91 ac	1
Acceptable Revise	Lot width (minimum)			Irregular shaped lot
Acceptable Revise	Lot width (maximum)			Irregular shaped lot

Building Setback Coverage Stands	k, Height, and ards (Chapter 9-5A)	Required	Proposed	Notes
Acceptable Revise N/A	Front Building Setback (minimum)	20'-0''	10'0"	Incentive or Concession request #1 (building setback concession combined into one)

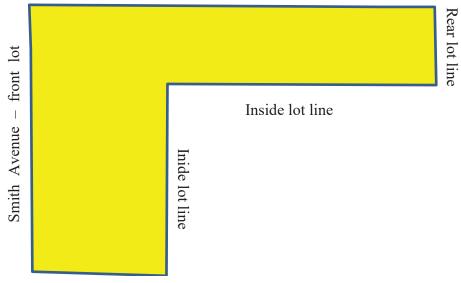


SITE PLAN NO: PROJECT TITLE: DATE: DESCRIPTION: APPLICANT: PROPERTY OWNER: LOCATION: . APN(S):

2022-05 Smith Avenue Apartments October 26, 2022 4.91 acre Medium Density Residential Apartments AMG & Associates, LLC R: Lemoore Redevelopment Agency SE Corner of East D Street and Smith Avenue 023-020-064 and 023-020-065

Acceptable Revise N/A	Interior Side Building Setback (minimum)	10'-0"	10'0"	
Acceptable Revise N/A	Street Side Building Setback (minimum)	15'-0"	10'0"	Incentive or Concession request #1 (building setback concession combined into one)
Acceptable Revise N/A	Rear Building Setback (minimum)	10'-0"	5'0"	Covered parking structures at rear wall / fence can be 5 feet from property line if constructed of non-combustible materials.
Acceptable Revise N/A	Separation Between Buildings (minimum)	10'-0"	10'-0''	Between Laundry building and adjacent apartment building.
Acceptable Revise N/A	Height (maximum)	45'-0''	41'-3 ¾"	
Acceptable Revise	Floor Area Ratio (minimum)			
Acceptable Revise	Floor Area Ratio (maximum)			

D Street – street side lot line



Oleander Avenue - street side lot



SITE PLAN NO: PROJECT TITLE: DATE: DESCRIPTION: APPLICANT: PROPERTY OWNER: LOCATION: . APN(S):

2022-05 Smith Avenue Apartments October 26, 2022 4.91 acre Medium Density Residential Apartments AMG & Associates, LLC : Lemoore Redevelopment Agency SE Corner of East D Street and Smith Avenue 023-020-064 and 023-020-065

Architectural an Standards (Cha		Required	Notes
Acceptable Revise N/A	Design Concepts		<ul> <li>Complies with all Design Standards in Section 9-5C-2</li> <li>Contains façade and roof line variations</li> <li>Contains public space amenities: tot lot, pool, dog park, picnic areas, picnic tables, and Community Building with services and programming.</li> </ul>
Acceptable Revise N/A	Design Standards for Residential Projects		<ul> <li>Complies with all Design Standards in Section 9-5C-3</li> <li>43,200 sf open space is required and 70, 370 has been provided.</li> <li>20' provided between street and parking areas.</li> <li>In addition to the Community Center spaces, 3 outdoor recreation areas provided with tot lot, swimming pool and dog park.</li> </ul>
Acceptable Revise N/A	Design Standards for Commercial and Industrial Projects		
Acceptable Revise	Design Standards for Big Box Stores		

Landscape Standar (Chapter 9-5D1)	rds	Required	Notes
	andscape tandards	Final Landscape and Irrigation Plans required with submittal of Building Permit	Conceptual Landscape Plan has been submitted. Recommend revisiting tree species selection between fence and buildings along Smith Avenue and species around pool area.



SITE PLAN NO:2022-05PROJECT TITLE:Smith Avenue ApartmentsDATE:October 26, 2022DESCRIPTION:4.91 acre Medium Density Residential ApartmentsAPPLICANT:AMG & Associates, LLCPROPERTY OWNER:Lemoore Redevelopment AgencyLOCATION:SE Corner of East D Street and Smith AvenueAPN(S):023-020-064 and 023-020-065

Acceptable Revise N/A	Landscape Care and Maintenance	Final Landscape and Irrigation Plans required with submittal of Building Permit.	Meet all Landscape Maintenance Standards in Section 9-5D1-3
Acceptable Revise	Tree Preservation		
Acceptable Revise N/A	Street Trees	Landscape Plans required with submitted of Building Permit.	Street Trees shall be selected from the approved Street Tree list in Table 9-5D-5-A1.

Parking and Loading Standards (Chapter 9-5E)		Required	Proposed	Notes
Acceptable Revise N/A	Number of off-street Parking Spaces	204 spaces (12*1)+(96*2)	153 spaces	Incentive or Concession request #2
Acceptable Revise N/A	Parking Design Standards			Comply with all Design Standards in Section 9-5E-3
Acceptable Revise	Loading Design Standards			

Downtown Standards (Chapter 9-6)		
Mixed Use Standards (Chapter 9-7)		
Overlay Zones (Chapter 9-9)	Required	Notes
Acceptable		
Revise		
N/A		

## **Entitlements Required**

- Major Site Plan Review is required for this project.
- An Administrative Use Permit is required for this project.
- A Zone Variance is required for this project.
- A Tentative Subdivision Map is required for this project.
- A Tentative Parcel Map is required for this project.
- A Lot Line Adjustment is required for this project.
- A Zone Change is required for this project.



SITE PLAN NO: PROJECT TITLE: DATE: DESCRIPTION: APPLICANT: LOCATION: . APN(S):

2022-05 Smith Avenue Apartments October 26, 2022 4.91 acre Medium Density Residential Apartments AMG & Associates, LLC PROPERTY OWNER: Lemoore Redevelopment Agency SE Corner of East D Street and Smith Avenue 023-020-064 and 023-020-065

A General Plan Amendment is required for this project.

Other discretionary action required for this project:

**CEQA Document Required** (This is a preliminary determination that will be finalized when the project application is fully submitted and deemed complete.)

- Exempt from CEQA Ministerial Exemption: Section 21080(b)(1); 15268
- Exempt from CEQA Categorical Exemption: Section 15332 Infill Development Projects
- Exempt from CEQA Statutory Exemption Section
- Negative Declaration or Mitigated Negative Declaration
- Environmental Impact Report

Environmental Technical Documents Required to back up CEQA document (This is a preliminary determination that will be finalized when the project application is fully submitted and deemed complete.)

- Air Impact Analysis required.
- Acoustical Analysis required.
- Biological Report required.
- Cultural Records Search required.
- Traffic Impact Assessment required.
- Vehicle Trip Generation Estimates required.
- Covenant required.
- Other:

## General Requirements from Zoning Ordinance that apply to the project when checked.

Meet all Noise, Odor, and Vibration Performance Standards described in Zoning Ordinance Section 9-5B-2.

- Make all required Property and Utility Improvements described in Zoning Ordinance Section 9-5B-3.
- Meet all Outdoor Lighting Standards described in Zoning Ordinance Section 9-5B-4.
- Landscape Plans required at Building Permit submittal. Landscape Plans will be checked for compliance with MWELO, including but not limited to the following conditions:
  - Plan shall include square footages of landscaped area shown, water use calculations, and the material to be utilized. •
  - Water use classifications shall be based on WUCOLS IV. •
  - All other landscaped areas shown as landscaped shall be landscaped.
  - Landscaping shall meet all other applicable requirements of Title 9, Article D1 of the Zoning Ordinance. •



SITE PLAN NO: PROJECT TITLE: DATE: DESCRIPTION: APPLICANT: LOCATION: . APN(S):

2022-05 Smith Avenue Apartments October 26, 2022 4.91 acre Medium Density Residential Apartments AMG & Associates, LLC PROPERTY OWNER: Lemoore Redevelopment Agency SE Corner of East D Street and Smith Avenue 023-020-064 and 023-020-065

# **Other Requirements**

Additional comments:

- Coordinate with KART for possible transit stop location. •
- Provide permanently anchored bicycle racks within 100 feet of the building entrances, readily visible to • passers-by, for 5 percent (153\*0.05 = 8) of motorized vehicle parking capacity with a minimum of one two-bike capacity rack at each building.
- Incentive or Concession #3 will be the modification from standard local street widths (cross-sections). •

Steve Brandt

10/27/2022

Authorized signature

Date

Steve Brandt, AICP, City Planner Printed name



DATE: SITE PLAN NO: PROJECT TITLE: DESCRIPTION: APPLICANT: PROPERTY OWNER: LOCATION: APN(S): November 01, 2022 Major Site Plan Review No. 2022-05 Affordable Housing Project Multi-family development Lemoore Pacific Associates II, CA LP

SEC of E. D Street & Smith Avenue 023-020-064 and 023-020-065

## ENGINEERING - Multi-Family/Commercial/Industrial

#### **Recommended action:**

- Acceptable as submitted. See applicable comments below for permit application.
- Revise per comments below. Resubmittal not required. See applicable comments below for permit application.
- Resubmit with additional information. See comments below.
  - Redesign required. See comments below.

#### The following items are required to be shown on the Site Plan or provided with the Site Plan:

- Show entire property boundary with dimensions.
- Show all adjacent streets including existing and proposed improvements, such as curb, gutter, drive approaches, sidewalk, transit/bus stops, etc.: Show sidewalk: 5 ft. wide, with 4 ft. wide parkway on D Street; 4'-6" on Oleander Ave. to match sidewalk shown for Smith Ave.; Show locations of all drive approaches per City Standards;
- Show existing on-site structures and improvements on the site, such as buildings, wells, septic tanks, fences, driveways, etc., and note if they are to remain, removed, relocated or demolished.
- Show existing structures and improvements adjacent to the site.
  - Show all proposed on-site improvements including buildings with entry and loading access location, parking lot layout, landscape areas, pedestrian access/pathways, trash/refuse enclosure, mailbox/postal unit, etc. per City Standards and Building Code requirements. Include vehicle/truck path of travel for drive thru aisles, loading areas and trash/refuse enclosure.
- Show location and proposed size of all City water and sanitary sewer services to serve the project per City Standards. City mains to be used for this project are located here: *Water: 12" in D St & 6" in Smith Ave.; Sewer: 8" in Smith Ave. & 6" in Oleander Ave.*
- Show proposed on-site fire hydrants per Fire Department requirements.
- Show temporary fire and emergency access. Provide all-weather fire and emergency access road.
- Caltrans comments required prior to approval of project.
- Written comments required from ditch company.

Additional comments: Lot Line Adjustment or Parcel Map is required to remove the intervening property line. Show truck turn movements to confirm refuse truck access.

#### The following are required with permit application:

- Submit on-site grading and improvement plans and off-site improvement plans detailing all proposed work. On-site and off-site improvement plans to be prepared and signed by registered civil engineer. Project architect may prepare and sign on-site improvement plans. *All improvements shall be in accordance with City Standards and Specifications, as well as all applicable federal, State and local regulations.*
- City encroachment permit required which shall include an approved traffic control plan.



DATE: SITE PLAN NO: PROJECT TITLE: DESCRIPTION: APPLICANT: PROPERTY OWNER: LOCATION: APN(S): November 01, 2022 Major Site Plan Review No. 2022-05 Affordable Housing Project Multi-family development Lemoore Pacific Associates II, CA LP

SEC of E. D Street & Smith Avenue 023-020-064 and 023-020-065

- Caltrans encroachment permit required.
- Caltrans comments required prior to approval of project.
- Written comments required from ditch company.
- All public streets within project limits and across project frontage shall be improved to their full width, subject to available right-of-way, in accordance with City policies, standards and specifications.
- ☑ Dedicate additional right-of-way along Smith Ave to provide 40' street width and 4'6" sidewalk, along Oleander to provide 36' street and 4'-6" sidewalk, and as required for City Std. curb return & ramp at NEC of Smith and Oleander. Right-of-way dedication required by grant deed. A title report is required for verification of ownership.
- Install street striping as required by the City Engineer. On-site parking, signing, and striping per City Standards, State requirements, and ADA accessibility requirements.
- ☑ Install sidewalk: 5' ft. wide min., with 4 ft. wide parkway on D Street; 4'-6" sidewalk with no parkway on Smith Ave. & Oleander Ave.
- Show locations of all drive approaches and construct to City Standards.
- Use postal unit.

Landscape and irrigation improvement plans to be submitted for the entire project. Landscape plans will need to comply with the City of Lemoore's street tree ordinance and the State MWELO requirements.

Potable water and fire protection water master plan for the entire development shall be submitted for approval prior to approval of any phase of the development. The water system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The water system will need to be sized to serve any future developments that are anticipated to connect to the system.

Sanitary Sewer master plan for the entire development shall be submitted for approval prior to approval of any phase of the development. The sewer system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system.

- Grading and drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades.
  - Prepared by a registered civil engineer or project architect.
  - All elevations shall be based on the City's benchmark network.
  - Storm run-off from the project shall be handled as follows:
  - Directed to the City's existing storm drainage system; *Project shall utilize bio-swales or other LID*
  - BMPs prior to draining to the street or City drainage systems
  - Directed to a permanent on-site basin per City Standards
  - Directed to a temporary on-site basin which is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin shall be constructed in accordance with City Standards.
- Protect Oak trees during construction.
- Show adjacent property grade elevations on improvement plans. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- Relocate existing utility poles and/or facilities.



DATE: SITE PLAN NO: PROJECT TITLE: DESCRIPTION: APPLICANT: PROPERTY OWNER: LOCATION: APN(S): November 01, 2022 Major Site Plan Review No. 2022-05 Affordable Housing Project Multi-family development Lemoore Pacific Associates II, CA LP

SEC of E. D Street & Smith Avenue 023-020-064 and 023-020-065

- Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- Provide R-value tests; 3, 1 each at Smith Ave, D St and on-site
- Traffic indexes per City standards: D St, TI=11.0, Smith Ave & Oleander Ave, TI=5.5, On-site, TI=5.0 for refuse
- Subject to existing reimbursement agreement to reimburse prior developer.
- Abandon existing wells per Code; a building permit is required. If applicable or encountered
- Remove existing irrigation lines and dispose off-site. *If applicable or encountered.*
- Remove existing leach fields and septic tanks. *If applicable or encountered.*
- Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air Pollution Control District's Regulation VIII. Copies of any required permits will be provided to the City of Lemoore.
- The project it may be subject to the San Joaquin Valley Air Pollution Control District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City of Lemoore.
- ☑ If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit will be provided to the City of Lemoore.
- Additional comments: Provide calcs for on-site sewer and water, and connections to existing system with building permit application: Lot line Adjustment or Parcel Map required to remove intervening lot line. Provide truck turn movements to confirm refuse truck access with building permit. Refuse container enclosure shall comply with City Std. M-5 & M-5A.

Authorized signature

Date

Jeff Cowart, PE City Engineer Printed name

# **Project Description**

# Smith Street Apartments - Lemoore, CA

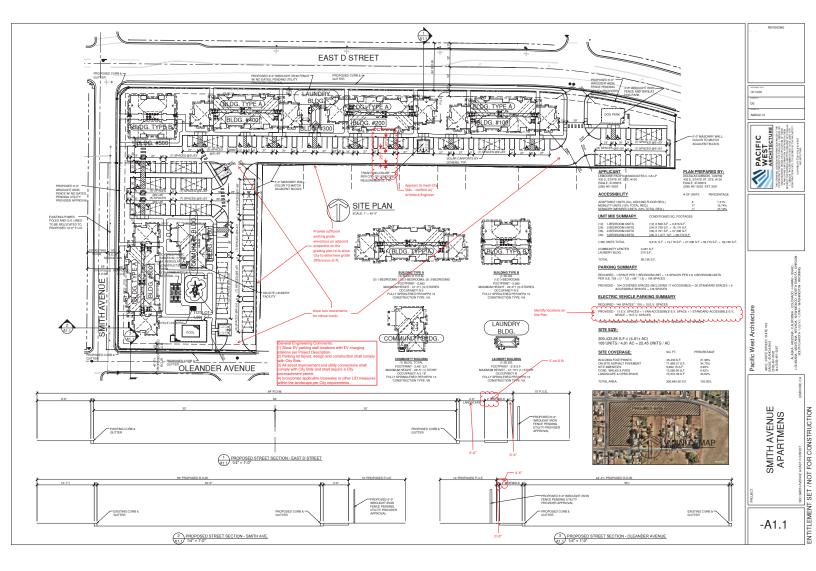
The proposed Project, the Smith Street Apartments, is a 108-unit new family construction Project located on a 4.81+/- net acres of land identified as APNs 023-020-064 and 023-020-065. With a mix of 12 one-bedroom units (568 gross sq. ft.) and 24 two-bedroom units (799 gross sq. ft.), 36 two-bedroom units 761 gross sq. ft.) and 8 four-bedroom units (1,217 gross sq. ft), the proposed Project will target families earning between 30% - 60% of the area median income for Kings County. The Project will provide 161 parking stalls. Of the 161, 146 will be regular spaces and 15 will be electric-vehicle specific. Of the 146 spaces, 104 will be covered.

The units will be newly constructed apartments in two types of 4, three-story residential buildings, along with a single-story community building and a standalone laundry facility. The type of construction will be wood frame supported by perimeter foundations with concrete slab flooring. This type of construction will allow the building to conform to the natural terrain with only minor amounts of grading. The exterior will be stucco with tile roof shingles. Architectural accents will be incorporated, providing an aesthetically appealing exterior that blends with the character of the surrounding neighborhood and the community of Lemoore. The development will meet Title 24 energy efficiency standards. Minimum construction standards will be adhered to in order to assure that a quality family housing development is provided.

The buildings will be oriented appropriately throughout the site with the intent to create a community concept for the families to enjoy while remaining social and active. Tenants will enjoy access to a centrally located playground, pool, and dog park. In addition, residents and their guests will have access to a picnic area featuring tables, seating areas and barbeques, covered by a pergola made from non-combustible material. The community building (approximately 3,481 sq. ft.) includes an office space, computer room, laundry facility, exercise room and a community room with a common kitchen. An on-site resident manager will provide assistance and management while residing in a three-bedroom manager's unit. There will be 3 trash enclosures distributed throughout the development.

Within the units, tenants will enjoy standard features such as refrigerators, exhaust fans, dishwashers, disposals and ranges with ovens. All units feature an outdoor patio or balcony and storage space. The design of these apartments will adhere to all necessary requirements to satisfy Section 504 as well as any additional mandates that the local jurisdiction deems appropriate.







DATE: SITE PLAN NO: DESCRIPTION: LOCATION: APN(S): APPLICANT: PROPERTY OWNER:

November 1, 2022 Major Site Plan Review No. 2022-05 108 Unit Affordable Housing Project SEC of East D Street and Smith Avenue 023-020-064 and 023-020-065 AMG & Associates City of Lemoore

## FIRE DEPARTMENT

The following comments are applicable when checked:

- Refer to previous comments dated
- More information is needed before a Site Plan Review can be conducted. Please submit plans with more detail.
- No fire protection items required for parcel map or lot line adjustment; however, any future projects will be subject to fire protection requirements.
- Address numbers must be placed on the exterior of the building in such a position as to be clearly and plainly visible from the street. Numbers will be at least 6 inches high and shall be of a color to contrast with their background. If multiple addresses served by a common driveway, the range of numbers shall be posted at the roadway / driveway.

No additional fire hydrants are required for this project; however, additional fire hydrants may be required for any future development.

✓ There is / are _6 fire hydrants required for this project. One marked plans for fire hydrant locations).	ne hydrant shall be installed every _300ft. (see
--	--

The turning radius for emergency fire apparatus is 20 feet inside radius and 43 feet outside radius. Ensure that the turns identified to you during site plan comply with these requirements. An option is a hammer-head constructed to City of Lemoore standards.

An access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction.

Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with an approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders. Access routes shall be located within a minimum of 15 feet and maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building.

A fire lane is required for this project. The location will be given to you during the site plan meeting.

A Knox Box key lock system is required. Applications are available at the City of Lemoore Fire Department Administrative Office. NOTE: Knox boxes shall be ordered using an approved application from Lemoore Fire Department Administrative Office, 711 W. Cinnamon Drive. Please allow adequate time for shipping and installation.

The security gates, if to be locked, shall be locked with a typical chain and lock that can be cut with a common bolt cutter, or the developer may opt to provide a Knox Box key lock system. Applications are available at the Lemoore Fire Department Administrative Office.

That portion of the building that is built upon a property line shall be constructed as to comply with Section 503.4 and Table 5-A of the California Building Code.

Commercial dumpsters with 1.5 cubic yards or more shall not be stored or placed within 5 feet of combustible walls, openings, or a combustible roof eave line except when protected by a fire sprinkler system.

☐ If you handle hazardous material in amounts that exceed the exempt amounts listed on Table 3-D of the California Building Code, you are required to submit an emergency response plan to the Kings County Health Department. Prior to the building final inspection, we will require a copy of the plan and any Material Safety Data Sheets.

SITE PL	AN REVIE	W COMMENTS
---------	----------	------------



DATE:November 1, 203SITE PLAN NO:Major Site Plan IDESCRIPTION:108 Unit AffordaLOCATION:SEC of East D SAPN(S):023-020-064 andAPPLICANT:AMG & AssocialPROPERTY OWNER:City of Lemoore

November 1, 2022 Major Site Plan Review No. 2022-05 108 Unit Affordable Housing Project SEC of East D Street and Smith Avenue 023-020-064 and 023-020-065 AMG & Associates City of Lemoore

An automatic fire sprinkler system is required for this building. A fire hydrant is required within 50 feet of the fire department connection. The fire hydrant, fire department connection and the PIV valve should be located together and minimum 25 feet from the building, if possible. The caps on the FDC shall be Knox locking caps.

All hardware on exit doors shall comply with Chapter 10 of the California Fire Code. This includes all locks, latches, dolt locks, and panic and exit hardware.

Provide illuminated exit signs and emergency lighting throughout the building.

All Fire and Life Safety systems located within the building shall be maintained.

An automatic fire extinguishing system for protection of the kitchen grease hood and ducts is required.

City of Lemoore Fire Department Impact Fee. For information call (559) 924-6730

City of Lemoore Fire Department Permit Fee – complete application during Building Department permit process.

Additional comments: <u>There is a turn concern upon entering the property. It looks to be trash enclosure area</u> and decreases turn width. Can we please verify the measurements of turn radius.

No comments. Acceptable as submitted.

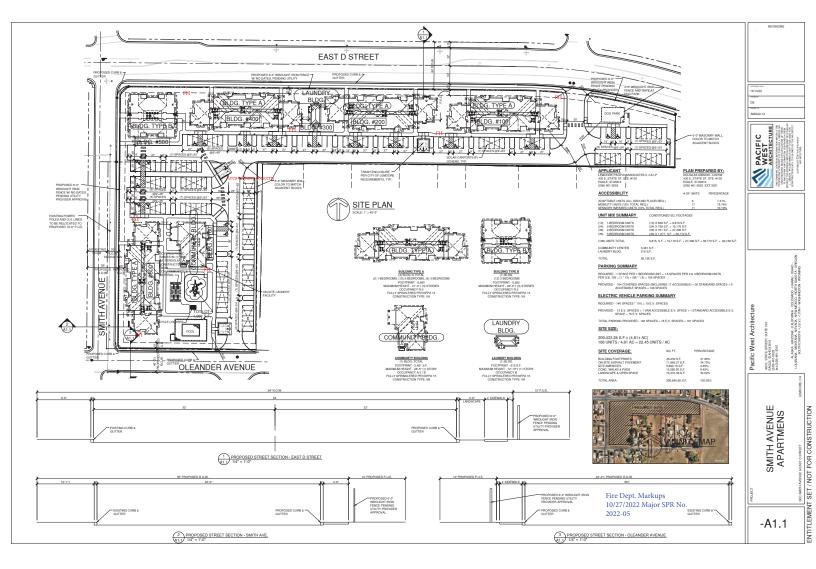
Rouse Berman

10/27/2022

Date

Authorized signature

Bruce German and Faith Faria Printed Name and Title



Hey Kristie,

Please let developer know that we will likely feed these apartments from the Oleander pole line. Also, AT&T requires that the apartments place conduit and vaults for our use, per tariff a2 rule 20 and rule 15.

Thank you

STEVEN CASTANETO AT&T OSP ENGRG DESIGN 217 W Acequia Ave Visalia, Ca. 93291 Office: 559-739-6455 Mobile: 559-212-1280 Email: <u>Sc961n@att.com</u>

From: Kristie Baley <<u>kbaley@lemoore.com</u>>

Sent: Tuesday, October 18, 2022 4:57 PM

To: Angie Dow <angie.dow@co.kings.ca.us>; john.liu@dot.ca.gov; Michael Navarro <<u>michael.navarro@dot.ca.gov</u>; WILSON, MICHAEL A <<u>MW7046@att.com</u>>; PGE <<u>pgeplanreview@pge.com</u>>; Scott Bowers <<u>sbowers2@socalgas.com</u>>; SJVAPCD <<u>ceqa@valleyair.org</u>>; Terri King <<u>terri.king@co.kings.ca.us</u>>

Subject: Request for Comment - Lemoore Major SPR No. 2022-05 - Affordable Housing Project - APNs 023-020-064 and 023-020-065

Good Afternoon,

Please see the attached site plan and developer's project description proposing to construct a 108 unit multifamily development on the vacant site located at the southeast corner of Bush Street and Smith Avenue in Lemoore. Should you require any additional information, please do not hesitate to contact me directly. The project is scheduled to go before the Planning Commission on November 14, 2022.



Kind Regards,

Kristie Baley Management Analyst City of Lemoore 711 W. Cinnamon Drive Lemoore, CA 93245 (559) 924-6744, ext. 740



October 20, 2022

Kristie Baley City of Lemoore 711 W Cinnamon Dr Lemoore, CA 93245

Ref: Gas and Electric Transmission and Distribution

Dear Kristie Baley,

Thank you for submitting the SPR No. 2022-05 plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

- 1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: <u>https://www.pge.com/en\_US/business/services/building-and-renovation/overview/overview.page</u>.
- If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
- 3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team Land Management



#### Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <a href="https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf">https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf</a>

1. Standby Inspection: A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.

2. Access: At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

3. Wheel Loads: To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. Grading: PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.

5. Excavating: Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 24 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch



wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [24/2 + 24 + 36/2 = 54] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 24 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible (90° +/- 15°). All utility lines crossing the gas pipeline must have a minimum of 24 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.



11. Cathodic Protection: PG&E pipelines are protected from corrosion with an "Impressed Current" cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.



#### Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as "**RESTRICTED USE AREA – NO BUILDING.**"

2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.

3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&'s facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.

4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 10 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.

5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.

6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.

7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.



8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<u>https://www.dir.ca.gov/Title8/sb5g2.html</u>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (<u>http://www.cpuc.ca.gov/gos/GO95/go\_95\_startup\_page.html</u>) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

## **Notice of Exemption**

- **TO:**  $\square$  Office of Planning and Research 1400 Tenth Street Sacramento, CA 95814
  - County Clerk, County of Kings Kings County Government Center Hanford, California 93230
- **FROM:** City of Lemoore Community Development Dept. 711 W. Cinnamon Drive Lemoore, CA 93245
- PROJECT TITLE: Major Site Plan Review No. 2022-05
- PROJECT APPLICANT: AMG & Associates, LLC

**PROJECT LOCATION – City:** Lemoore **County:** Kings

**PROJECT LOCATION – Specific:** The southwest corner of East D Street and Smith Avenue (APNs 023-020-064 and 023-020-065).

**PROJECT DESCRIPTION:** Approval of a Major Site Plan Review for an affordable housing apartment complex consisting of 108 residential units with a community building, laundry building, outdoor pool, tot lot, and dog park on an undeveloped 4.91-acre site.

## NAME OF PUBLIC AGENCY APPROVING PROJECT: City of Lemoore

## NAME, ADDRESS, & PHONE NUMBER OF PERSON OR AGENCY CARRYING OUT PROJECT:

City of Lemoore Community Development Dept., 711 W. Cinnamon Drive, Lemoore, CA 93245

#### **EXEMPT STATUS:** (check one)

- Ministerial (Section 21080(b)(1); 15268);
- Declared Emergency (Section 21080(b)(4); 15269(a));
- Emergency Project (Section 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Class 32 (Section 15332)
- Statutory Exemptions. State code number:

**REASONS WHY PROJECT IS EXEMPT:** According to the attached findings worksheet and studies, all the findings applicable to a Class 32 exemption can be made.

## LEAD AGENCY CONTACT PERSON:

Nathan Olson, City Manager (559) 924-6744 Ext. 740

Signature

Date

Authority cited: Sections 21083 and 21110, Public Resources Code. Reference: Sections 21108, 21152, 21152.1, Public Resources Code.

esearch	
Kings nt Center 0 nity Development Dept.	
lan Review No. 2022-05 & Associates, LLC	
Lemoore County: Kings	

# CEQA Class 32 (Infill Development) Exemption Findings

This section is intended to promote infill development within urbanized areas. The class consists of environmentally benign infill projects which are consistent with local General Plan and zoning requirements. This class is not intended to be applied to projects that would result in significant traffic, noise, air quality, or water quality effects. As with all categorical exemptions, the application of this exemption is limited by the factors described in Section 15300.2.

**Project Description**: The project site is located on the southwest corner of East D Street and Smith Avenue on a 4.91-acre parcel. Zoned Low-Medium Density Residential (RMD). APNs 023-020-064 and 023-020-065. The proposed project includes the construction of 108 units of new affordable family housing located on a combined 4.91 acres of land. The proposed project will target families earning between 30–60 percent of the median income for Kings County. The project proposes 161 parking stalls.

a) <u>This project is consistent with the applicable General Plan designation and all applicable General Plan</u> policies and zoning designations and regulations.

**ADDITIONAL INFORMATION:** The project site is located on a vacant site that is fully within a zoned Medium Density Residential designation. The proposed land use would remain residential as designated. The site is immediately adjacent to developments of a similar and compatible use type.

b) <u>The proposed development occurs within city limits on a project site of no more than five acres</u> <u>substantially surrounded by urban uses.</u>

**ADDITIONAL INFORMATION:** The project site is a 4.91-acre parcel located at the intersection of East D Street and Smith Avenue within the designated city limits boundaries. The site is adjacent to other residential properties.

c) <u>The project site has no value as a habitat for endangered, rare, or threatened species.</u>

**ADDITIONAL INFORMATION:** The project site is completely surrounded by single-family housing for at least one-quarter mile in each direction. The site is bare of any tree or vegetative growth. There is no riparian habitat or sensitive natural communities within the project site.

#### d.1) <u>Approval of the project would not result in any significant effects relating to traffic.</u>

**ADDITIONAL INFORMATION:** The project site is located at the intersection of one arterial street and one local residential street (East D Street and Smith Avenue). The General Plan circulation anticipated this type of use at this site and has planned streets accordingly. The portions of both streets adjacent to the project area will be completed with this project. d.2) Approval of the project would not result in any significant effects relating to noise.

**ADDITIONAL INFORMATION:** The Medium Density Residential use is consistent and compatible with immediate surrounding low density and single-family residential uses. Noise levels will not be greater than the surrounding uses.

d.3) <u>Approval of the project would not result in any significant effects relating to air quality.</u>

**ADDITIONAL INFORMATION:** The project site is adjacent to other existing single-family residential areas and may contribute to an increase in the occurrence of shared vehicle trips, but these increases have been accounted for in the General Plan circulation and air quality calculations. The proposed size of buildings is below the Small Project Analysis Levels (SPAL) standard requirements for air quality mitigation measures.

d.4) <u>Approval of the project would not result in any significant effects relating to water quality.</u>

**ADDITIONAL INFORMATION:** The project site will connect to the existing municipal water service system operated by the City of Lemoore.

e) The site can be adequately served by all required utilities and public services.

**ADDITIONAL INFORMATION:** The project site is located adjacent to existing single-family residential areas that are already serviced by all major utilities and municipal services. Water and sewer services will be provided by the City of Lemoore. PG&E will be the source of electrical services, and Southern California Gas will be the source of gas. All other services, police, fire, and parks can adequately be provided for by the City of Lemoore.

Note: Authority cited: Section 21083, Public Resources Code. Reference: Section 21084, Public Resources Code.

