

4.0 Dry Creek Preserve Land Use Plan

The following Land Use Plan contains the features needed to satisfy the Goals provided in Section 3. The Plan includes some opportunity for development of new residential, commercial uses, but they are intended to be limited by the goals and policies, which seek to protect and provide important open space, recreational, historical and aesthetic values across the DCP landscape, as provided in Section 4.5.4. Figure 28 shows the planned Dry Creek Preserve land use mosaic, during the first ten to fifteen years of this Plan's implementation. Not surprisingly, the figure does not differ remarkably from the existing land uses as depicted in Figure 27, on page ____. This is intentional, since the Land Use Plan is aimed at conserving open space and rural neighborhood character. Also, the Plan operates not by designating development areas, but rather by providing policies and guiding standards to apply to any development which might occur at any location within the DCP. Because those standards include substantial buffering areas and requirements, density limitations, infrastructure requirements and other mitigating features, development is mostly precluded on smaller parcels, which have insufficient area to provide the required mitigations and remain economic. In general, larger parcels are susceptible to being developed, provided they can: i) meet the specific development standards provided herein, ii) arrange for connection to City infrastructure, iii) arrange City annexation, and iv) pay associated County fire reimbursement fees and other required development fees.

Some DCP Land Use Concepts:

1. Use an array of land use policies, design standards, mitigation concepts and permissible use descriptions to enable and guide appropriate land use transitions, while preserving the DCP overall neighborhood character and key open space values.
2. Encourage landowners to participate in the Open Space Legacy Program by offering willing property sales at fair market value. Encourage the City Recreation Department to seek/acquire supporting grants and other supplemental fund sources to provide the means for making the willing-sale land acquisitions. By making these purchase opportunities tangible, landowners will be encouraged to sell their property for open-space-compatible (i.e., Specific Plan compatible) purposes, rather than for more intense structural development.
3. Allow for linear open space corridors and trails to connect across the DCP landscape; initially utilizing street rights of way, but later including additional; trails and connections across public acquired sites or easements.

4. Provide clear and workable guidelines for development of infrastructure and public works projects, with design standards to assure that developed features are visually consistent with the rural landscape and area character.

Insert Land Use Designation Map Fig. 21
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4.1 DCP Land Use Designations

Currently, the entire DCP is in County of Fresno jurisdiction, and is designated Rural Residential, Single Family, 2-acre minimum. This designation will continue on any and all lands which are not annexed to the City of Clovis. Because the City does not utilize the Rural Residential designation or zone, any lands annexed to the City would need to be assigned one of the City's designations. It is most probable that annexed lands would receive the City's RA (Residential Agricultural) designation, which normally includes a two-unit-per-acre development limitation. This designation, therefore, exceeds the standards provided under this Specific Plan. As such, either: 1) the DCP lands should remain under County RR designation, or 2) if annexed, the City's RA designation would need to be modified wherever it is applied to lands within the DCP, to reflect the maximum one-unit-per-acre residential housing

standard provided in this Specific Plan, as well as utilizing the MAA to make the RA zone applicable to the DCP's unique set of standards and permissible uses. It is noted that increased densities under any designation would involve significant problems of delivering services, such as water service or sewer disposal capacity. **It is further noted that this Specific Plan's Land Use Standards require specific additional conditions be met before approving any housing development which exceeds one residential unit per two acres, or any commercial or industrial use.**

It is important to recognize that considering alternative designations with apparent high residential densities would be misleading. Greater housing density under any land use designation, including the existing RR designation, will have significant septic disposal problems. Because the Clovis Sewer Master Plan did not include consideration of the DCP area, sewer service capacity does not now exist to furnish sewer services to most DCP lands which may desire to annex to Clovis. If portions of the DCP were allowed to develop at higher density under ANY designation, using individual septic facilities, then a much more significant potential would exist for area-wide groundwater contamination. To address that problem, new parcel divisions are no longer allowed by Fresno County, if the resultant new parcels could support new residences which are reliant upon individual septic facilities. As such, any new parcel divisions or subdivisions will necessarily require connection of the new residences to (now non-existent) developed sewer disposal systems. This Plan advances policies to prohibit new development which would contribute to sewer-groundwater conflicts. So absent ability to divide lands into new parcels utilizing individual water and septic systems, and given the costs of updating the Sewer Master Plan and of upgrading the size of existing underground facilities, it is apparent that the sewer issues will constrain the division of land within the DCP. The only exceptions would be where development areas are immediately adjacent to annexed and developed areas and capacity is economically available within the City's facilities.

4.1.1 Rural Residential Use

The Herndon Shepherd Specific Plan designated the entire DCP as Rural Residential use. This was one of four general housing types advanced in that 1988 Plan, in order to provide housing diversity and choices in the Clovis area. The reasons and desirability for such housing diversity have not changed since 1988. Today, all of the other areas designated within the Herndon-Shepherd Plan are built out into higher density housing, including some larger areas originally identified for open space preservation. This has left only the DCP (about 11 percent of the H-S Plan area) for the Rural Residential housing choice. This current Specific Plan proposes not to modify the range of housing options, as earlier planned in Herndon-Shepherd; therefore, no proposed change is made in the Rural Residential designation (except for possible conversion to the City's Residential Agriculture designation, as modified above, for any areas which may become annexed to the City of Clovis). It is appropriate to maintain very low-density housing (i.e., 1 unit or less per acre) within the DCP, in order to continue to provide the range of housing choices that was originally intended by the City Council in the Herndon Shepherd Plan.

Over 95 percent of existing DCP landowners indicate a strong preference for retaining their existing Rural Residential designation and associated use allowances and expressed little or no interest in developing their properties to higher uses. The RR lifestyle is desirable to many people who choose not to live in denser communities, or where elements of their lifestyle involve activities or uses that either require space or are not well tolerated by close neighbors. Some owners also have home-based aspects to their businesses, (e.g., nurseries, veterinary clinics, equipment overnight storage, arts, crafts, etc.) which were the reason they selected RR lands with suitable space and with County-approved permissible uses.

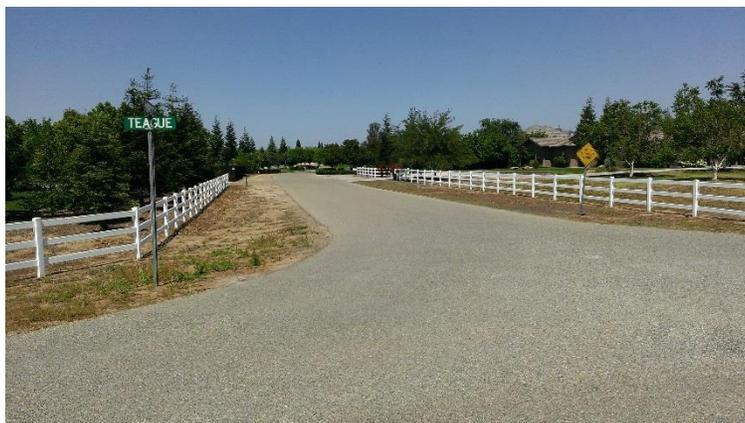


Fig. 29. A DCP Rural Residential Neighborhood

Rural residential housing within the DCP occupies a wide range of home values and sizes, including rentals, small older homes, new custom homes and very large estate-size developments. These housing types are mixed across the landscape in various clusters, typically containing more than one type or value of home. Conflicts are few under existing conditions, in part due to the wider separation between residences. Most residents enjoy their own privacy and respect

that of their neighbors. Most residents understand that both they and their neighbors chose this lifestyle for the

reasons above, and that tolerance of neighbor activities is a part of life in the DCP. Accordingly, very few past neighbor complaints have been received by either Fresno County or City of Clovis.

Availability of housing diversity, including the Rural Residential lifestyle, can be a strong attractant to businesses considering locating in the Clovis Area. Many larger businesses have employees and executives at various economic levels with diverse lifestyles and interests. These businesses directly seek siting locations where diverse housing options are available. As such, it is desirable for Clovis to continue to feature a full range of housing options, including very low density residential (RR) opportunity. RR housing is now particularly feasible within the DCP, due to the prevailing water and sewer constraints and because, over this planning period (about 20 years), few DCP landowners are expressing interest in proposing more dense residential or other development projects.

At present, the inability of most properties to access City sewer facilities or treated surface water for domestic use, must be recognized as a constraint affecting increased residential density to the area. Because of the added development cost to address the sewer and water problems (which would need to be passed on to new home consumers), it is unlikely that the DCP is a location which can realistically provide new “affordable housing.” Rather, it is likely the R-R area will build out into fewer, larger homes that are more consistent with the larger parcel sizes and

development costs. Said larger homes will provide a desirable variety element in the Clovis housing market.

4.1.1.1 Rural Residential or Residential Agriculture Permissible Uses¹ by Right of Ownership:

Permissible land uses on residential lands within the DCP shall include the following by right or under Conditional Use Permit, where specified below. Additional uses may also be allowed subject to individual permitting or variance.

¹ Requires modification of City of Clovis Ordinance Code to afford unique DCP uses within R-A designation, in order to enable agriculture and other uses currently allowed under the County R-R designation.

- 1) **Large or small farming or ranching operations, including growing, harvesting, processing, shipping of produced commodities (except commercial poultry growing, confined livestock operations, feed lots, or other operations with associated objectionable odors or potential for groundwater contamination) and disposal of agricultural waste, including by permitted burning or shredding. All above actions continue to be subject to USDA, CDFA, CARB and Regional Air Quality Control Board regulations.**
- 2) **Maintenance shops to construct or maintain resident-owned equipment.**
- 3) **Construction of facilities, barns, sheds, solar facilities, etc., connected to farming, livestock, or other resident-owner activities. All the above are subject to Fresno County or City of Clovis building codes and standards, as applicable.**
- 4) **Keeping of large animals, including livestock, horses, donkeys, llamas, alpacas, goats, sheep, or other mammals, except that not more than 5 adult pigs may be kept on any individual parcel at one time.)**
- 5) **Keeping of birds or poultry as pets or for personal use (up to 50 birds at one time).**
- 6) **Drilling, maintenance and/or repair of new or existing agricultural or residential water wells as needed to supply on-property uses, provided new/proposed housing density on a parcel does not exceed 1 permanent unit per two acres. Above one unit per two acres, access to City of Clovis water facilities must be assured and utilized.**
- 7) **Construction, pumping or other maintenance of individual septic systems, provided they service housing density that does not exceed 1 permanent unit per two**

acres. Above one unit per two acres, connections must be assured to City of Clovis sewer utilities or to other acceptable sewer treatment facilities.

- 8) Surface irrigation of crops, pastures or other features, as allowed by Fresno Irrigation district.
- 9) Continued access to and maintenance of irrigation supply facilities, such as FID or community ditches, valves, stand-pipes or pipelines.
- 10) Gardening or landscaping associated with residential or commercial uses
- 11) Community gardening (rental of space/water for non-owner individual gardens)
- 12) Cottage industries: (Artwork, crafts, etc)
- 13) Individual parcel fencing of any type is permitted up to a maximum height of eight (8) feet. Above 8 feet requires separate permitting by the City of Clovis or Fresno County, as applicable.
- 14) Visible storage and use of parcel owner's equipment and materials is permitted, including: 1) any and all farm implements, 2) any and all recreational equipment, 3) any and all yard or residential maintenance equipment, 4) up to one commercial truck and trailer, 5) up to two (2) shipping containers, or 6) other stored materials. Storage of equipment in excess of the above standards is allowed, but must be in a concealed area of parcels, not visible to the roadways or to neighboring properties. Fencing or vegetation screening is adequate visual screening for these purposes.
- 15) Non-commercial construction/fabrication of equipment, welding, wood working, or other light industrial activities are permitted on individual parcels if conducted by or for the benefit of the parcel owner.
- 16) Commercial construction or fabrication may be permitted under separate permit by the County of Fresno or City of Clovis as applicable.
- 17) Wildlife habitat management
- 18) All other preexisting permissible uses continue to be allowed without restriction.