CITY COUNCIL REGULAR MEETING AGENDA

Wednesday, February 26, 2025 at 6:00 PM

Kerman City Hall, 850 S. Madera Avenue, Kerman, CA 93630

LEVINE ACT DISCLOSURE. Pursuant to the Levine Act (Govt Code Section 84308), any party to a permit, license, contract, or other entitlement before the City Council is required to disclose on the record any campaign contribution, including aggregated contributions, of more than $500 made by the party or the party's agents within the preceding 12 months to any City official. Participants and agents are requested to make this disclosure as well. The disclosure should be made when the agenda item is called and must include the name of the party, participant, or agent, and any other person making the contribution, the name of the recipient, the amount of the contribution, and the date the contribution was made. Council Members are also required to make such disclosures and recuse themselves.

CONFLICT OF INTEREST. City Council Members with a conflict of interest under the Political Reform Act are required to make disclosure of financial interest when the item is called and recuse themselves.

1. **OPENING CEREMONIES**

   A. Call to Order

   B. Roll Call

   C. Invocation

   D. Flag Salute

2. **AGENDA APPROVAL/ADDITIONS/DELETIONS**
   To accommodate members of the public or convenience in the order of presentation, items on the agenda may not be presented or acted upon in the order listed.

3. **PRESENTATIONS/CEREMONIAL MATTERS**

   A. Women's History Month Proclamation - Presentation to Alvarez and Johnson

   B. Code Compliance and Enforcement 2024 Annual Report (RB)

4. **PUBLIC FORUM** (*for matters not on agenda)*
This portion of the meeting is reserved for members of the public to address the Council on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Council. Speakers shall be limited to three minutes. It is requested that no comments be made during this period on items on the Agenda. Members of the public wishing to address the Council on items on the Agenda should notify the Mayor when that Agenda item is called, and the Mayor will recognize your discussion at that time. It should be noted that the Council is prohibited by law from taking any action on matters discussed that are not on the Agenda. Speakers are asked to please use the microphone, and provide their name and address.

5. **CONSENT CALENDAR**
Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, a member of the audience or a Council Member may request an item be removed from the Consent Calendar and it will be considered separately.

A. **SUBJECT:** Minutes - February 12, 2025

RECOMMENDATION: Council approve minutes as presented.

B. **SUBJECT:** Contingent Acceptance of Irrevocable Offers of Dedication from Kerman Unified School District (KUSD) to the City of Kerman, Relating to the KUSD Harvest Elementary School Project (JG)

RECOMMENDATION: Council by motion adopt a resolution:

1. Agreeing to accept Irrevocable Offers of Dedication from KUSD to the City for public utility and street right-of-way purposes pertaining to APNS 020-120-32ST, 26ST, and 27ST and 020-120-28S, upon completion of specified improvements related to the KUSD Harvest Elementary School Project.

6. **PUBLIC HEARINGS**

None.

7. **DEPARTMENT REPORTS**

A. **SUBJECT:** Del Norte Estates Project: General Plan Amendment (GPA 2023-03), Rezone (REZ 2023-04), Tentative Subdivision Map (TSM 2023-04), Annexation (ANX 2023-04), and an Environmental Impact Report (SCH No. 2024031008) (ENV 2023-08) pertaining to three (3) parcels located on the north side of Whitesbridge Road (State Route 180) between North Siskiyou and North Madera Avenues (APNs 020-120-29S, 020-120-30S and 020-120-28ST) (JJ)

RECOMMENDATION: That the Council consider the second reading of the ordinance, adoption of the Tentative Subdivision Map Resolution and Annexation Initiation Resolution; deliberate; and by motion:

1. Waive the full reading and adopt an ordinance of the City Council of the City of Kerman amending the official City of Kerman zoning map for three (3) parcels identified as Assessor's Parcel Numbers (APNs 020-120-29S, 020-120-30S, and 020-120-28ST) pre-zoning approximately 38 acres to the Smart Development Combining District – Residential – Minimum 5,000 square feet (SD-R-5.0), approximately 10.96 acres within the Two Family Residential (R-2), 4 acres within the Multi-Unit Residential (R-3), and 18.95 acres within the General Commercial zoning districts (CG), totaling approximately 72.29 acres.

2. Adopt a resolution of the City Council of the City of Kerman approving Tentative Subdivision Map 2023-04 for a property located on the north side of Whitesbridge Road (State Route 180) between north Siskiyou and North Madera Avenue (APNs 020-120-29S, 020-120-30S, and 020-120-28ST); and

3. Adopt a resolution of the City Council of the City of Kerman initiating annexation for the Del Norte Estates residential project consisting of three (3) parcels identified as APNs 020-120-29S, 020-120-30S, and 020-120-28ST containing approximately 79.29 acres located on the north side of Whitesbridge Road (State Route 180) between North Siskiyou and North Madera Avenues (Annexation 2023-04).

B. **SUBJECT:** Mixed Use Development Conceptual Designs Program (MC)

RECOMMENDATION: Council by motion adopt a resolution approving the Mixed Use Development Conceptual Designs Program.

C. **SUBJECT:** Consideration of Monthly Stipend for Members of the City Recreation Commission (JAJ)

RECOMMENDATION: Council by motion consider whether to adopt a resolution establishing a stipend per meeting for members of the Parks, Recreation, and Community Services Commission and to determine the amount of such stipend.

8. **CITY MANAGER/STAFF COMMUNICATIONS**

9. **MAYOR/COUNCIL REPORTS/ANNOUNCEMENTS/FUTURE AGENDA ITEMS**
(This portion of the meeting is reserved for the Mayor and Council Members (i) to make brief reports on boards, committees, and other public agencies, and at public events, (ii) to request updates, (iii) to initiate future agenda items at the request of a Council Member, and (iv) to take action on matters initiated under this section of the agenda items. Under this section the Council may take action only on items specifically agendized and which meet other requirements for action.)

10. **CLOSED SESSION**

None.

11. **ADJOURNMENT**

NOTICE OF AVAILABILITY OF AGENDA MATERIALS: Any writings or documents provided to a majority of the City Council within 72 hours of the meeting regarding any item on this agenda will be made available for public inspection at the City Clerk's Office located at 850 S. Madera Ave., Kerman, CA 93630 and on the City website at www.cityofkerman.net.

ADA Compliance and Reasonable Accommodation. The Council has adopted a Reasonable Accommodation Policy, which is available on the City website at www.cityofkerman.net or upon request by emailing the City Clerk at publicmeeting@cityofkerman.org or calling (559) 550-1414. The Policy provides a procedure for receiving and resolving requests for accommodation to participate in this meeting. If you need assistance in order to attend this Council meeting or require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation to the Council, please contact the City Clerk at (559) 550-1414 or email at publicmeeting@cityofkerman.org so such aids or services can be arranged. Accommodations should be requested as early as possible as additional time may be required in order to provide the requested accommodation. The meeting room is accessible to persons with physical disabilities.

AGENDA POSTING CERTIFICATION

I, Josie Camacho, City Clerk for the City of Kerman, do hereby declare under penalty of perjury that I caused the above agenda to be posted at City of Kerman Council Chambers at 850 S. Madera Ave., Kerman, CA 93630 and on the City website at www.cityofkerman.net.

Date: February 21, 2025 /s/ Josie Camacho, City Clerk

PROCLAMATION
Kerman City Council

RECOGNIZING AND HONORING WOMEN'S HISTORY MONTH

WHEREAS**,** women of every race, class, and ethnic background have made historic contributions to the growth and strength of Kerman in countless recorded and unrecorded ways; and

WHEREAS**,** women play a critical economic, cultural, and social role in every sphere of life in Kerman; and

WHEREAS**,** women in Kerman have played a particularly important role in the establishment of charitable, philanthropic, and cultural institutions in our City; and

WHEREAS**,** women in Kerman hold, and have held, positions of leadership in business, government, and education with distinction; and

WHEREAS**,** women in Kerman serve our community in roles of importance including, executive leadership, supervisory, and service positions, as well non-traditional roles as team members in the Public Works and Police Departments; and

WHEREAS, we honor women in Kerman for their commitment to their families, community service, labor and advocacy to make Kerman a better city; and

WHEREAS, we celebrate and recognize their contributions to a better Kerman during the month of March and throughout the year.

NOW THEREFORE, BE IT PROCLAIMED that the City Council of the City of Kerman hereby proclaims the month of March 2025 as Women's History Month.

I have hereunto set my hand and caused the Official Seal of the City of Kerman to be affixed on this 26th day of February 2025.

_____

Maria Pacheco
Mayor

CITY COUNCIL REGULAR MEETING MINUTES

Wednesday, February 12, 2025 at 6:00 PM

Kerman City Hall, 850 S. Madera Avenue, Kerman, CA 93630

1. OPENING CEREMONIES

A. Call to Order - **6:01 p.m.**

B. Roll Call - **All members present except Councilmember Dhaliwal.**

C. Invocation - **A moment of silence was observed.**

D. Flag Salute – **Performed.**

2. AGENDA APPROVAL/ADDITIONS/DELETIONS

Motion made by Councilmember Herrera, Seconded by Mayor Pro Tem Yep
Ayes: Herrera, Yep, Hall, Pacheco
Noes: None
Abstain: None
Absent: Dhaliwal
Motion passes 4-0-0-1

3. PRESENTATIONS/CEREMONIAL MATTERS

A. Presentation - Fresno County Property Owners Protection Alert (FCPOPA) - **Presented by Paul Dictos, Fresno County Assessor's Office.**

4. PUBLIC FORUM (*for matters not on agenda)*

Sally Medina, Ericka Perez

5. CONSENT CALENDAR

Councilmember Herrera pulled Item 5E. from the consent calendar to recuse himself due to conflict of interest.

A. **SUBJECT:** Minutes - January 22, 2025 & February 1, 2025

RECOMMENDATION: Council to approve minutes as presented.

B. **SUBJECT:** Warrants (JA)

1. Nos.31025-31241 $1,219,955.43 ACH $272,321.87.

RECOMMENDATION: Council approve warrants and electronic bank transfers as presented. (Pursuant to Government Code 37208)

C. **SUBJECT**: Payroll (JA)

12/22/2024 - 01/04/2025: $255,976.29; Retro Pay & Other: $0.00; Overtime: $7,0179.11; Holiday: $5,541.41; Standby: $2,252.02; Comp Time Earned: 15.75

01/05/2025 - 01/18/2025: $236,014.30; Retro Pay & Other: $86.40; Overtime: $3,210.09; Standby: $1,925.04; Comp Time Earned: 33.60

RECOMMENDATION: Council approve payroll as presented.

D. **SUBJECT:** Resolution Approving Annual Renewal Agreement with Civic Plus for Recreation Management program Civic Rec for $5,061.31 (TJ)

RECOMMENDATION: Council by motion adopt a resolution approving the annual renewal agreement with Civic Plus and authorizing the City Manager to execute the agreement. – **Res. 25-10**

E. **SUBJECT:** Consideration of Resolution to Ratify Reimbursement Agreement for Preliminary Engineering Services with Union Pacific Railroad Company for $15,000 for the Goldenrod Avenue Crossing (JAJ)

RECOMMENDATION: Council by motion adopt resolution ratifying Reimbursement Agreement for Preliminary Engineering Services with Union Pacific Railroad Company for $15,000 for the Goldenrod Avenue Crossing. – **Res. 25-11**

F. **SUBJECT:** Amendment of Memorandum of Understanding with the Kerman Police Officers Association revising Overtime and the use of Compensation Time and Vacation counting as hours worked (JAJ)

RECOMMENDATION: Council by motion adopt resolution approving Side Letter Agreement with the Kerman Police Officers Association revising Overtime and the use of Compensation Time and Vacation counting as hours worked. – **Res. 25-12**

Motion to approve the consent calendar as presented with the exception of item 5.E made by Mayor Pro Tem Yep, Seconded by Councilmember Herrera.
Ayes: Yep, Herrera, Hall, Pacheco
Noes: None
Abstain: None
Absent: Dhaliwal
Motion passes 4-0-0-1

Motion to approve item 5E. made by Mayor Pro Tem Yep, Seconded by Councilmember Hall.
Ayes: Yep, Hall, Pacheco
Noes: None
Abstain: Herrera
Absent: Dhaliwal
Motion passes 3-0-1-1

6. **PUBLIC HEARINGS** - **None.**

7. **DEPARTMENT REPORTS**

   A. **SUBJECT:** Consideration of Resolution Regarding City's Assurances to Residents Regarding Services and Safety Regardless of Immigrant Status In Compliance with State Law (HCM)

   RECOMMENDATION: Council by motion adopt resolution Declaring The City of Kerman's Assurances To All Residents Regarding Services and Safety Regardless of Immigrant Status and Compliance With State Law. – **Res 25-13**

   Public comment made by Sally Medina.

   Motion to approve the resolution as is, with the consensus to translate the resolution in Spanish and Punjabi, and distributed via the City's social media, website, and mailing to residents, made by Councilmember Herrera, Seconded by Mayor Pro Tem Yep.
   Ayes: Herrera, Yep, Hall, Pacheco
   Noes: None
   Abstain: None
   Absent: Dhaliwal
   Motion passes 4-0-0-1

8. **CITY MANAGER/STAFF COMMUNICATIONS**

9. **MAYOR/COUNCIL REPORTS/ANNOUNCEMENTS/FUTURE AGENDA ITEMS**

10. **CLOSED SESSION** - **None.**

11. **ADJOURNMENT** - **7:04 p.m.**

MINUTES CERTIFICATION

I, Josie Camacho, City Clerk for the City of Kerman, do hereby declare under penalty of perjury that the above minutes are a true depiction of all actions taken at the City Council meeting held on the first date above written at City of Kerman Council Chambers at 850 S. Madera Ave., Kerman, CA 93630.

Date: February 13, 2025 /s/ Josie Camacho, City Clerk

STAFF REPORT

MEETING DATE: February 26, 2025

PRESENTER: Jesus A. Gonzalez, City Engineer

SUBJECT: Contingent Acceptance of Irrevocable Offers of Dedication from Kerman Unified School District (KUSD) to the City of Kerman, Relating to the KUSD Harvest Elementary School Project (JG)

RECOMMENDATION: Council by motion adopt a resolution:

1. Agreeing to accept Irrevocable Offers of Dedication from KUSD to the City for public utility and street right-of-way purposes pertaining to APNS 020-120-32ST, 26ST, and 27ST and 020-120-28S, upon completion of specified improvements related to the KUSD Harvest Elementary School Project.

EXECUTIVE SUMMARY:

Kerman Unified School District (KUSD) recently constructed Harvest Elementary (School) which went into operation at the start of the 2024-25 school year. In addition to the construction of the School, KUSD is required to construct street and utility infrastructure that will ultimately be dedicated to the City for public use. City acceptance of the improvements and the corresponding land rights is contingent upon the improvements 1) being constructed to City standards and 2) being in operation. The planned infrastructure is currently on KUSD-controlled property.

At present time the improvements are incomplete, with remaining work consisting of revisions to pedestrian crossing improvements, installation of streetlights and the electrification of said streetlights and a sewer lift station. Following substantial KUSD coordination with Pacific, Gas and Electric (PG&E) for scheduling the electrification work, the process reached a sudden stop. PG&E notified KUSD that it cannot schedule the necessary work until the City has accepted the land rights in areas in which its infrastructure will be located. The City in turn informed KUSD and PG&E it cannot accept KUSD's improvements prior to being in operation consistent with City policy regarding liability and other issues.

City Staff worked closely with KUSD and PG&E to resolve this issue and move the electrification work forward. The proposed resolution would be to have KUSD approve an Irrevocable Offers of Dedication (Offers of Dedication) to the City, with the City agreeing to accept the dedication after the completion of improvements. KUSD would then be able to receive electrification from PG&E so that the improvements can be confirmed completed, after which the City will confirm the acceptance of the dedication. In essences, the Offers of Dedication by KUSD will provide

PG&E a level of assurance that the City will ultimately receive land rights while at the same protecting the City against the risk and liability of accepting incomplete improvements.

The KUSD Board of Supervisors has approved the Offers of Dedication. This matter is now before the City to take the next step in the process. The proposed resolution establishes that the City will approve the acceptance of Offers of Dedication pertaining to APNS 020-120-26ST, 27ST and 32ST, and 020-120-28S upon the completion of specified public improvements. Once the improvements are completed as contemplated by the resolution, this matter will brought back to the Council for a resolution confirming final acceptance of the offers of dedications. In the interim, the conditional intent of Acceptance of Offers of Dedication before the Council at this time will enable PG&E to electrify streetlights and the sewer lift station in turn allowing the City to accept the improvements and corresponding land rights.

FISCAL IMPACT:

The intent to accept Irrevocable Offers of Dedication contingent upon the completion of specified improvements by KUSD, at its own cost, does not result in an expense to the City.

ATTACHMENTS:

A. Resolution w/Exhibit

Attachment 'A'

RESOLUTION NO. 25-___

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN AGREEING TO ACCEPT IRREVOCABLE OFFERS OF DEDICATION FOR PUBLIC UTILITY AND STREET RIGHT-OF-WAY UPON COMPLETION OF CERTAIN IMPROVEMENTS FOR THE KERMAN UNIFIED SCHOOL DISTRICT HARVEST ELEMENTARY PROJECT

WHEREAS, the Kerman Unified School Districts (KUSD) seeks to dedicate street and utility improvements and related land rights to the City of Kerman (City); and

WHEREAS, the City requires all improvements to be complete and in operation for their acceptance as well as the related land rights; and

WHEREAS, Pacific Gas & Electric requires City Council agree to accept the Irrevocable Offers of Dedication of land rights over which its infrastructure will be placed; and

WHEREAS, upon City agreement to accept the Irrevocable Offers of Dedication from KUSD, PG&E will be enabled to start the necessary electrification work for completion of improvements; and

WHEREAS, upon completion by KUSD of the improvements, the City desires to accept said improvements and related land rights, and will have recorded a Certificate of Acceptance for the same.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN RESOLVES AS FOLLOWS:

1. The foregoing recitals are true and correct and incorporated by reference.

2. The City Council agrees to accept the Irrevocable Offers of Dedication for Public Utility and Street Right of Way purposes, which are collectively attached as **Exhibit '1'**, subject to the prior completion of the following:

    a. KUSD shall complete those improvements required by the plan(s) for the "Kerman Unified School District Street Improvements for First Street Extension" specific to each of the parcels subject to the Irrevocable Offers of Dedication.

3. Upon approval of all required improvements, the City Manager is directed to return to the City Council with the appropriate certificates of acceptance for final approval by the City.

4. This resolution is effective upon adoption.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regularly scheduled meeting held on the 26th day of February 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk

Recording Requested by
and when recorded, return to:

City Clerk
City of Kerman
850 S. Madera Avenue
Kerman, California 93630

Exempt from the $75 Building and Jobs Act Fee per Gov't Code §27388.1(2)(D) Public Agency
No fee pursuant to Government Code § 6103
No Documentary Transfer Tax per R&T Code § 11922
No Recording Fee per Government Code § 27383

IRREVOCABLE & PERPETUAL OFFER TO DEDICATE PUBLIC UTILITY AND STREET RIGHTS OF WAY

APN *020-120-26ST (portion)*

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Kerman Unified School District, a public school district duly organized and validly existing under the Constitution and Laws of the State of California, as GRANTOR, hereby OFFERS to the City of Kerman, a California Municipal Corporation, as CITY, an irrevocable easement for public street and utility purposes over a portion of certain property described as in exhibit "A" and depicted in exhibit "B", and an easement for public utility purposes over a portion of certain property described as in exhibit "C" and depicted in exhibit "D", in the County of Fresno, State of California.

This Offer is made pursuant to Section 7050 of the Government Code of the State of California and may be accepted at any time by the City of Kerman. This Offer shall convey to the City upon its acceptance, a superior right of easement over any facilities located on or under the property or which may be constructed in the future.

This Easement and Offer shall be irrevocable and shall be binding on the GRANTOR its heirs executors, administrators, successors and assigns.

IN WITNESS WHEREOF, GRANTOR hereunto caused its/their name(s) to be subscribed this 21 day of February, 2025.

GRANTOR

Kerman Unified School District, a public school district duly organized and validly existing under the Constitution and Laws of the State of California

Kraig Magnussen
Assistant Superintendent

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Fresno

On Feb 21, 2025 before me, - CHARLES H. JONES, Notary Public, Notary Public - Kraig Magnussen who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

CHARLES H. JONES
Notary Public - California
Fresno County
Commission # 2359805
My Comm. Expires Jun 21, 2025

(Seal)

CITY

City of Kerman, A California Municipal Corporation

The City of Kerman agrees to the making of the Irrevocable and Perpetual Offer of Dedication for Public Utility Easements and Road Easements and agrees to the recording thereof, and will accept this dedication upon the construction and completion of those improvements identified in the City's project plan(s) for the "Kerman Unified School District Street Improvements for First Street Extension" specific to the portion thereof that applies to the easements identified herein.

_____ _____

John Jansons
City Manager

Date

EXHIBIT "A"

LEGAL DESCRIPTION

APN: A Portion of 020-120-26ST
City of Kerman Right-of-Way Dedication

A portion of Parcel 2 granted by that Grant Deed, recorded February 1, 2017, as Document No. 2017-0012775, of Official Records of Fresno County, lying in the Southeast quarter of Section 1, Township 14 South, Range 17 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, in the County of Fresno, State of California, more particularly described as follows:

BEGINNING at the Northwest corner of Parcel F as shown on Parcel Map 15, according to the map thereof recorded in Book 29 of Parcel Maps, at Page 58, Fresno County Records;

thence North 89°50'02" East, along the North line of said Parcel F, a distance of 13.35 feet to the beginning of a non-tangent curve, concave Easterly, with a radial bearing South 83°52'30" East;

thence Southerly, along the arc of said non-tangent curve, with a radius of 265.00 feet, through a central angle of 6°15'39", an arc distance of 28.96 feet to the beginning of a tangent line;

thence South 0°08'09" East, along said tangent line, a distance of 203.55 feet;

thence South 45°13'09" East, a distance of 14.12 feet;

thence South 0°07'50" East, a distance of 37.25 feet;

thence South 44°58'26" West, a distance of 21.17 feet;

thence South 0°08'09" East, a distance of 51.07 feet to the beginning point of a tangent curve, concave Easterly;

thence Southerly, along the arc of said tangent curve, with a radius of 70.00 feet, through a central angle of 11°17'58", an arc distance of 13.80 feet to the beginning of a tangent line;

thence South 11°26'07" East, along last said tangent line, a distance of 29.81 feet to the beginning point of a tangent curve, concave Westerly;

thence Southerly, along the arc of last said tangent curve, with a radius of 93.00 feet, through a central angle of 10°29'09", an arc distance of 17.02 feet to a point of intersection thereof with the west Right-of-Way line of that certain parcel of land granted by Deed, recorded December 22, 1960, in Book 7644 at Page 246, as Document No. 124467, of Official Records of Fresno County, and the beginning of a non-tangent curve, concave Easterly, with a radial bearing of South 69°59'53" East;

thence Southerly along the arc of last said non-tangent curve and said West Right-of-Way line, with a radius of 500.00 feet, through a central angle of 14°47'22", an arc distance of 129.06 feet to a point of intersection there with the West line of said Parcel F and the beginning of a non-tangent line;

thence North 1°13'35" East, along said non-tangent line and said West line of Parcel F, a distance of 531.19 feet to the **POINT OF BEGINNING.**

Containing an area of 8,159 square feet or 0.19 acres, more or less.

END DESCRIPTION

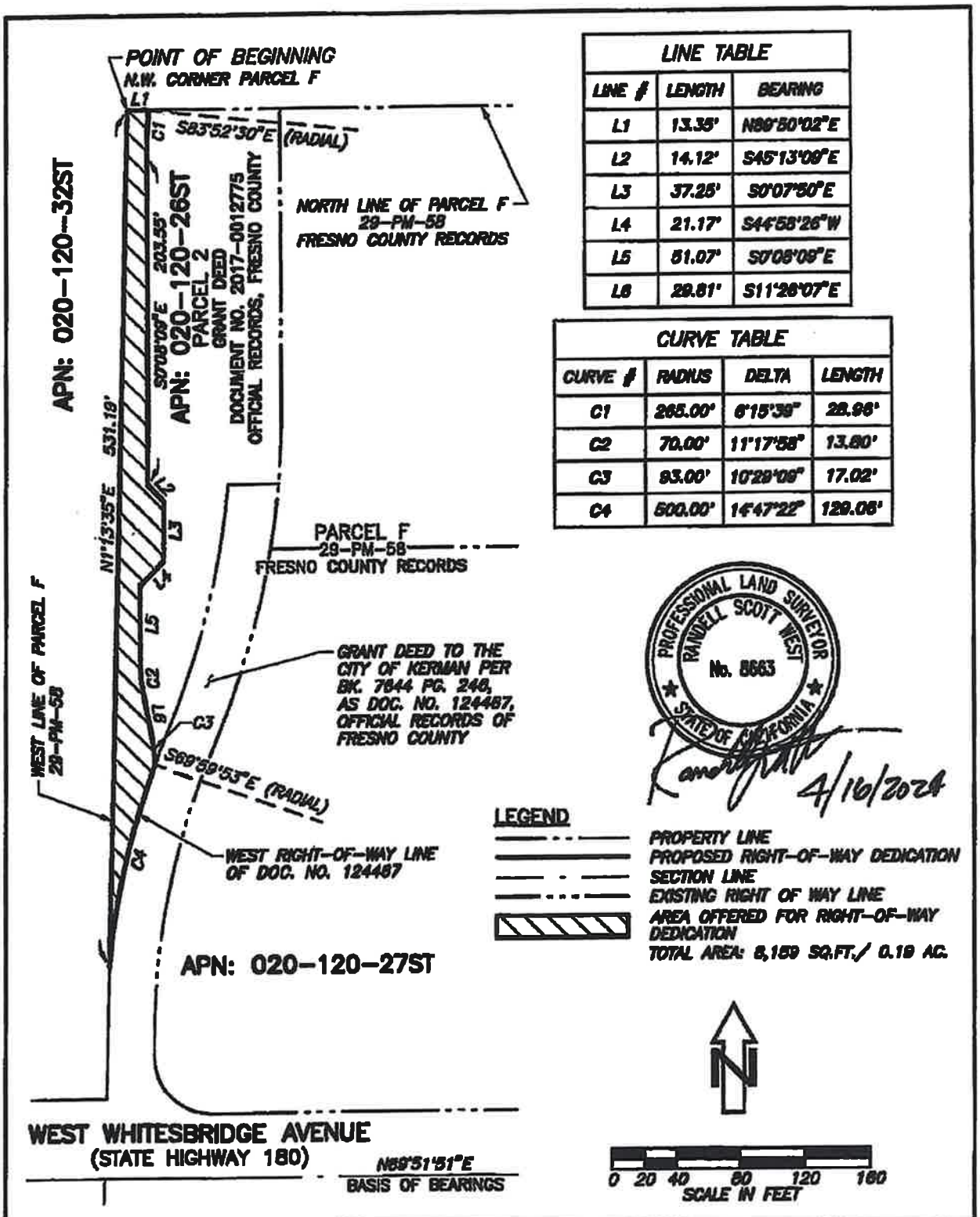
This legal description was prepared by me, or under my direction, in accordance with the Professional Land Surveyors' Act.

April 16, 2024
Date

Randell Scott West, PLS 8663
Blair, Church & Flynn Consulting Engineers



P:\219-0159\Site\Exhibits\City ROW Easements\APN 020-120-26ST\Legal APN 020-120-26_City ROW.Doc



Blair, Church & Flynn
CONSULTING ENGINEERS

CONSULTANT

CITY OF KERMAN

EXHIBIT "B"
RIGHT-OF-WAY DEDICATION
APN: 020-120-26ST

DR. BY HKB
CH. BY RSW
DATE 01/19/24
SCALE: AS NOTED

SHEET NO. 1
OF 1 SHEETS

EXHIBIT "C"

LEGAL DESCRIPTION

APN: A Portion of 020-120-26ST
Public Utility Easement

A portion of Parcel 2 granted by that Grant Deed, recorded February 1, 2017, as Document No. 2017-0012775, of Official Records of Fresno County, lying in the Southeast quarter of Section 1, Township 14 South, Range 17 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, in the County of Fresno, State of California, more particularly described as follows:

COMMENCING at the Northwest corner of Parcel F as shown on Parcel Map 15, according to the map thereof recorded in Book 29 of Parcel Maps, at Page 58, Fresno County Records; thence North 89°50'02" East, along the North line of said Parcel F, a distance of 13.35 feet to the **POINT OF BEGINNING;**

thence North 89°50'02" East, continuing along said North line, a distance of 8.42 feet;

thence South 0°08'09" East, a distance of 93.19 feet;

thence South 89°50'02" West, a distance of 10.00 feet;

thence North 00°08'09" West, a distance of 64.29 feet to the beginning of a tangent curve, concave Easterly;

thence Northerly, along the arc of said tangent curve, with a radius of 265.00 feet, through a central angle of 06°15'39", an arc distance of 28.96 feet to the **POINT OF BEGINNING.**

Containing an area of 917 square feet or 0.02 acres, more or less.

END DESCRIPTION

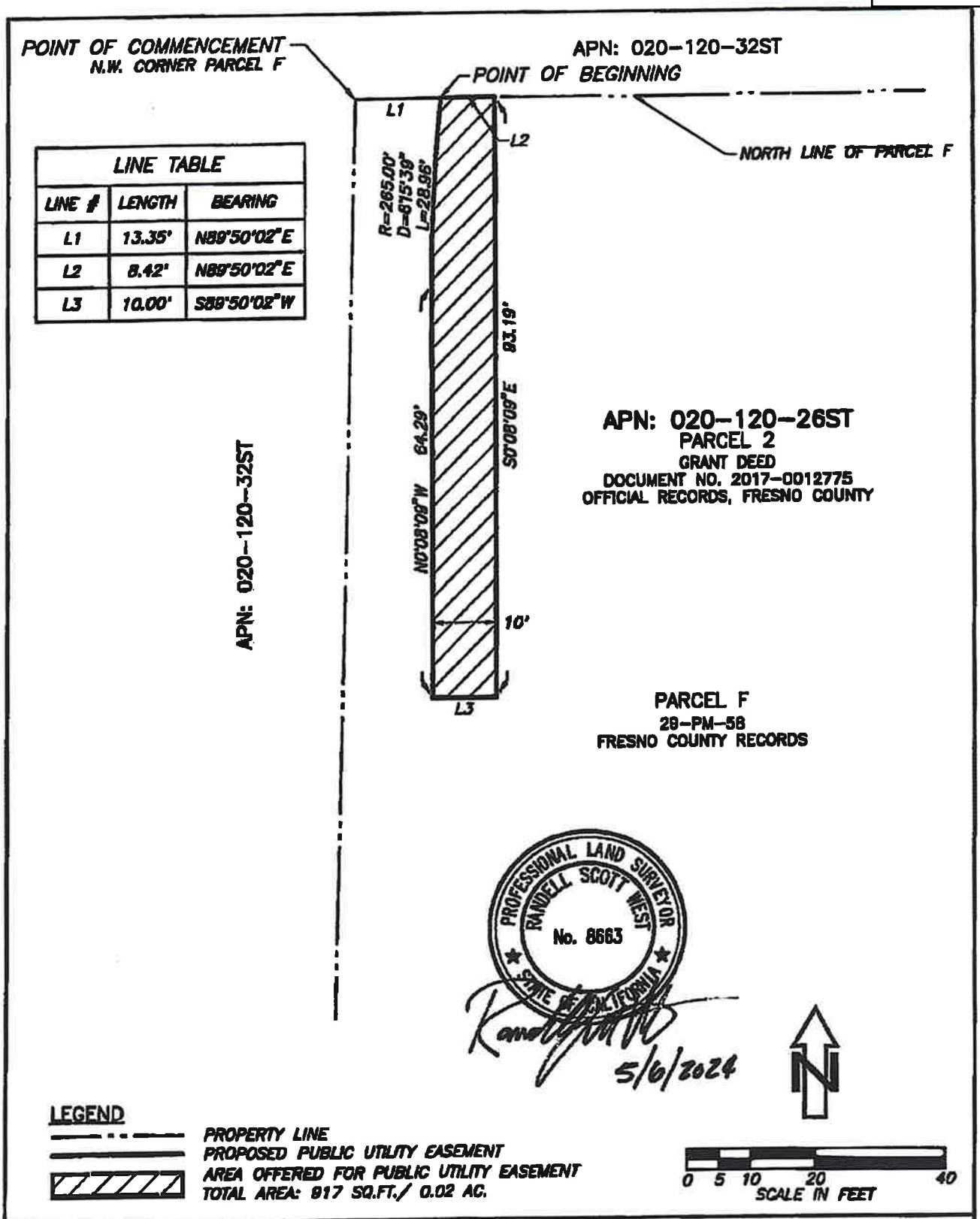
This legal description was prepared by me, or under my direction, in accordance with the Professional Land Surveyors' Act.

Date: May 6, 2024

Randell Scott West, PLS 8663
Blair, Church & Flynn Consulting Engineers



P:\219-0159\Plat\Exhibits\Utilityesmt\APN 020-120-26\Legal APN 020-120-26_Utility.Doc



LINE TABLE		
LINE #	LENGTH	BEARING
L1	13.35'	N89°50'02"E
L2	8.42'	N89°50'02"E
L3	10.00'	S89°50'02"W

Blair, Church Flynn
CONSULTING ENGINEERS

CONSULTANT

FIRST STREET EXTENSION

EXHIBIT "D"
PUBLIC UTILITY EASEMENT
APN: 020-120-26ST

DR. BY HKB
CH. BY RSW
DATE 05/6/24
SCALE: AS NOTED

SHEET NO. 1
OF 1 SHEETS

Recording Requested by
and when recorded, return to:

City Clerk
City of Kerman
850 S. Madera Avenue
Kerman, California 93630

Exempt from the $75 Building and Jobs Act Fee per Gov't Code §27388.1(2)(D) Public Agency
No fee pursuant to Government Code § 6103
No Documentary Transfer Tax per R&T Code § 11922
No Recording Fee per Government Code § 27383

IRREVOCABLE & PERPETUAL
OFFER TO DEDICATE PUBLIC UTILITY AND STREET RIGHTS OF WAY

APN *020-120-27ST (portion)*

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Kerman Unified School District, a public school district duly organized and validly existing under the Constitution and Laws of the State of California, as GRANTOR, hereby OFFERS to the City of Kerman, a California Municipal Corporation, as CITY, an irrevocable easement for public street and utility purposes over a portion of certain property described as in exhibit "A" and depicted in exhibit "B", in the County of Fresno, State of California.

This Offer is made pursuant to Section 7050 of the Government Code of the State of California and may be accepted at any time by the City of Kerman. This Offer shall convey to the City upon its acceptance, a superior right of easement over any facilities located on or under the property or which may be constructed in the future.

This Easement and Offer shall be irrevocable and shall be binding on the GRANTOR its heirs executors, administrators, successors and assigns.

IN WITNESS WHEREOF, GRANTOR hereunto caused its/their name(s) to be subscribed this

21 day of February, 2025.

IRREVOCABLE & PERPETUAL OFFER TO DEDICATE PUBLIC UTILITY AND STREET RIGHTS OF WAY
APN 020-120-27ST

GRANTOR

Kerman Unified School District, a public school district duly organized and validly existing under the Constitution and Laws of the State of California

Kraig Magnussen
Assistant Superintendent

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Fresno

On Feb 21, 2025 before me, -Charles H. Jones Notary Public-, Notary Public, personally appeared Kraig Magnussen,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

CHARLES H. JONES
Notary Public - California
Fresno County
Commission # 2359805
My Comm. Expires Jun 21, 2025

Signature of Notary Public

(Seal)

IRREVOCABLE & PERPETUAL OFFER TO DEDICATE PUBLIC UTILITY AND STREET RIGHTS OF WAY
APN 020-120-27ST

CITY

City of Kerman, A California Municipal Corporation

The City of Kerman agrees to the making of the Irrevocable and Perpetual Offer of Dedication for Public Utility Easements and Road Easements and agrees to the recording thereof, and will accept this dedication upon the construction and completion of those improvements identified in the City's project plan(s) for the "Kerman Unified School District Street Improvements for First Street Extension" specific to the portion thereof that applies to the easements identified herein.

_____ _____

John Jansons
City Manager

Date

IRREVOCABLE & PERPETUAL OFFER TO DEDICATE PUBLIC UTILITY AND STREET RIGHTS OF WAY
APN 020-120-27ST

EXHIBIT "A"

LEGAL DESCRIPTION

APN: A Portion of 020-120-27ST
City of Kerman Right-of-Way Dedication

A portion of Parcel 3 granted by that Grant Deed, recorded February 1, 2017, as Document No. 2017-0012775, of Official Records of Fresno County, lying in the Southeast quarter of Section 1, Township 14 South, Range 17 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, in the County of Fresno, State of California, more particularly described as follows:

COMMENCING at the Northwest corner of Parcel F as shown on Parcel Map 15 , according to the map thereof recorded in Book 29 of Parcel Maps, at Page 58, Fresno County Records; thence South 1°13'35" West, along the West line of said Parcel F, a distance of 553.87 feet; thence South 88°46'40" East, a distance of 28.95 feet to the East Right-of-Way line of that certain parcel of land granted by Deed, recorded December 22, 1980, in Book 7644 at Page 246, as Document No. 124467, of Official Records of said County and the **POINT OF BEGINNING;**

thence South 0°08'09" East, a distance of 16.23 feet to a point of intersection thereof with a line which is parallel with and 92.00 feet North of the South line of said Southeast quarter;

thence South 89°51'51" West, along said parallel line a distance of 0.52 feet to said East Right-of-Way line and the beginning of a non-tangent curve, concave Easterly, with a radial bearing of South 89°16'45" East;

thence Northerly, along the arc of said non-tangent curve and said East Right-of-Way line, with a radius of 470.00 feet, through a central angle of 1°58'45", an arc distance of 16.24 feet to the **POINT OF BEGINNING.**

Containing an area of 5 square feet, more or less.

END DESCRIPTION

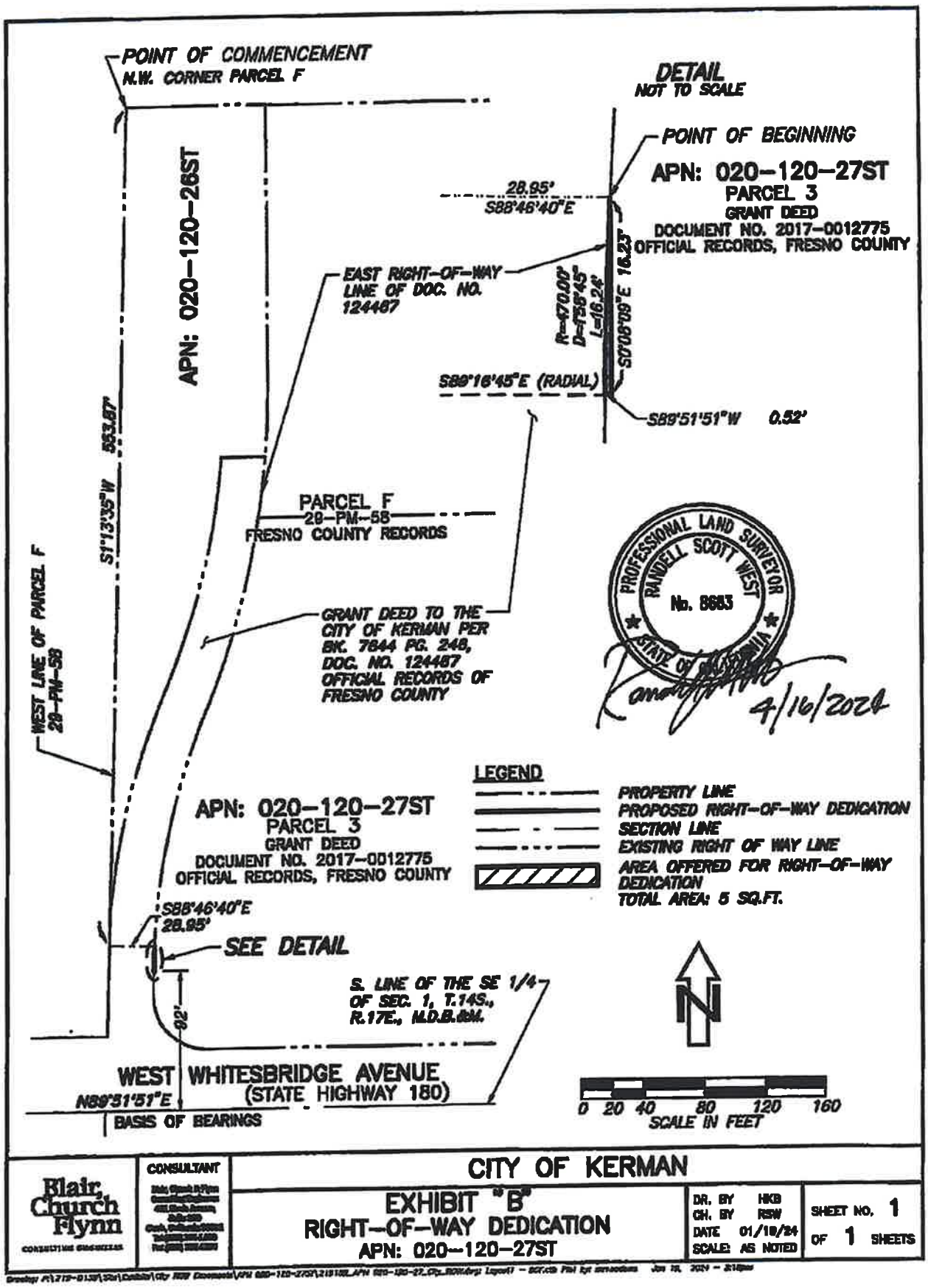
This legal description was prepared by me, or under my direction, in accordance with the Professional Land Surveyors' Act.

April 16, 2024
Date

Randell Scott West, PLS 8663
Blair, Church & Flynn Consulting Engineers

PROFESSIONAL LAND SURVEYOR
RANDELL SCOTT WEST
L.S. 8663
STATE OF CALIFORNIA

P:\219-0159\Site\Exhibits\City ROW Easements\APN 020-120-27ST\Legal APN 020-120-27_City ROW.Doc



Blair, Church Flynn CONSULTING ENGINEERS	CONSULTANT	CITY OF KERMAN EXHIBIT "B" RIGHT-OF-WAY DEDICATION APN: 020-120-27ST	DR. BY HKB CH. BY RSW DATE 01/19/24 SCALE: AS NOTED	SHEET NO. 1 OF 1 SHEETS

Recording Requested by
and when recorded, return to:

City Clerk
City of Kerman
850 S. Madera Avenue
Kerman, California 93630

Exempt from the $75 Building and Jobs Act Fee per Gov't Code §27388.1(2)(D) Public Agency
No fee pursuant to Government Code § 6103
No Documentary Transfer Tax per R&T Code § 11922
No Recording Fee per Government Code § 27383

IRREVOCABLE & PERPETUAL
OFFER TO DEDICATE PUBLIC UTILITY AND STREET RIGHTS OF WAY

APN *020-120-28S (portion)*

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Kerman Unified School District, a public school district duly organized and validly existing under the Constitution and Laws of the State of California, as GRANTOR, hereby OFFERS to the City of Kerman, a California Municipal Corporation, as CITY, an irrevocable easement for public sewer purposes over a portion of certain property described as in exhibits "A" and "B" and depicted in exhibits "C" and "D", in the County of Fresno, State of California.

This Offer is made pursuant to Section 7050 of the Government Code of the State of California and may be accepted at any time by the City of Kerman. This Offer shall convey to the City upon its acceptance, a superior right of easement over any facilities located on or under the property or which may be constructed in the future.

This Easement and Offer shall be irrevocable and shall be binding on the GRANTOR its heirs executors, administrators, successors and assigns.

IN WITNESS WHEREOF, GRANTOR hereunto caused its/their name(s) to be subscribed this

21 day of February, 2025.

IRREVOCABLE & PERPETUAL OFFER TO DEDICATE PUBLIC UTILITY AND
STREET RIGHTS OF WAY
APN 020-120-28S (PORTION)

GRANTOR

Kerman Unified School District, a public school district duly organized and validly existing under the Constitution and Laws of the State of California

Kraig Magnussen
Assistant Superintendent

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Fresno

On Feb 21, 2025 before me, Charles H. Jones, Notary Public, Notary Public personally appeared Kraig Magnussen,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

CHARLES H. JONES
Notary Public - California
Fresno County
Commission # 2359805
My Comm. Expires Jun 21, 2025

Signature of Notary Public

(Seal)

IRREVOCABLE & PERPETUAL OFFER TO DEDICATE PUBLIC UTILITY AND STREET RIGHTS OF WAY
APN 020-120-28S (PORTION)

CITY

City of Kerman, A California Municipal Corporation

The City of Kerman agrees to the making of the Irrevocable and Perpetual Offer of Dedication for Public Utility Easements and Road Easements and agrees to the recording thereof, and will accept this dedication upon the construction and completion of those improvements identified in the City's project plan(s) for the "Kerman Unified School District Street Improvements for First Street Extension" specific to the portion thereof that applies to the easements identified herein.

_____ _____

John Jansons
City Manager

Date

IRREVOCABLE & PERPETUAL OFFER TO DEDICATE PUBLIC UTILITY AND STREET RIGHTS OF WAY
APN 020-120-28S (PORTION)

EXHIBIT "C"
LEGAL DESCRIPTION

APN: A Portion of 020-120-28S
Sewer Easement

That portion of Parcel 2 granted by the Corrected Grant Deed, recorded December 20, 2018, as Document No. 2018-0151503, of Official Records of Fresno County, lying in the Southeast quarter of Section 1, Township 14 South, Range 17 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, in the County of Fresno, State of California, more particularly described as follows:

COMMENCING at the Northwest corner of the Southeast quarter of said Section 1; thence South 1°16'23" West, along the West line of said Southeast quarter, a distance of 1,325.51 feet; thence North 89°49'48" East, a distance of 20.01 feet to a point of intersection thereof with the West line of said Parcel 2 and the **POINT OF BEGINNING**;

thence continuing North 89°49'48" East, a distance of 180.00 feet to a point of intersection thereof with the East line of said Parcel 2;

thence South 1°16'23" West, along said East line, a distance of 20.01 feet;

thence South 89°49'48" West, a distance of 180.00 feet to a point of intersection thereof with the aforementioned West line of Parcel 2;

thence North 1°16'23" East, along said West line, a distance of 20.01 feet to the **POINT OF BEGINNING.**

Containing an area of 3,600 square feet or 0.08 acres, more or less.

The above described easement is graphically depicted on the attached Exhibit "B" and made a part of this description by reference thereto.

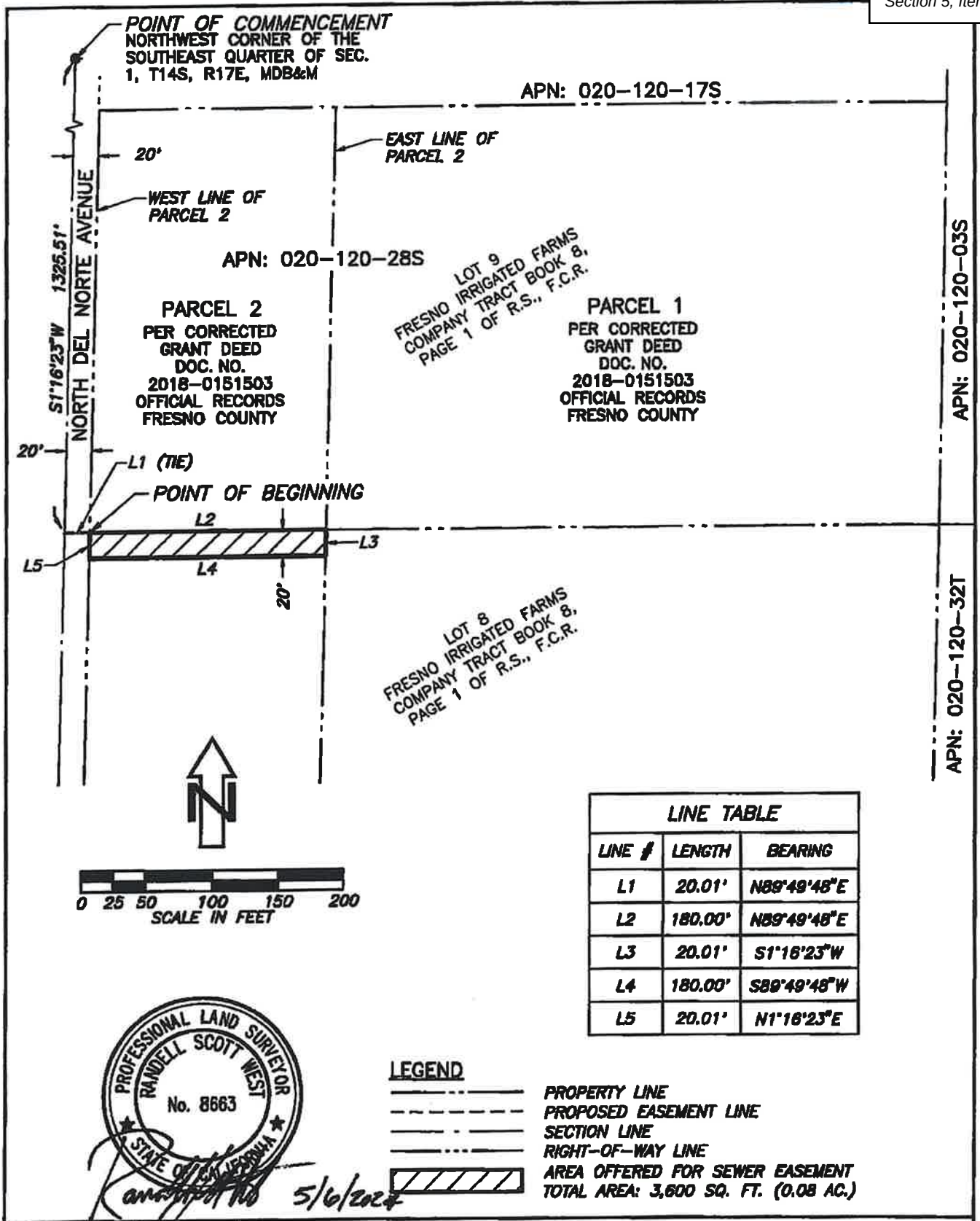
END DESCRIPTION

This legal description was prepared by me, or under my direction, in accordance with the Professional Land Surveyors' Act.

May 6, 2024

Randell Scott West, PLS 8663 — Date
Blair, Church & Flynn Consulting Engineers





LINE TABLE		
LINE #	LENGTH	BEARING
L1	20.01'	N89°49'48"E
L2	180.00'	N89°49'48"E
L3	20.01'	S1°16'23"W
L4	180.00'	S89°49'48"W
L5	20.01'	N1°16'23"E

PROFESSIONAL LAND SURVEYOR
RANDELL SCOTT WEST
No. 8663
STATE OF CALIFORNIA

5/6/2024

LEGEND

- PROPERTY LINE
- PROPOSED EASEMENT LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- AREA OFFERED FOR SEWER EASEMENT
- TOTAL AREA: 3,600 SQ. FT. (0.08 AC.)

Blair, Church Flynn
CONSULTING ENGINEERS

CONSULTANT

KERMAN UNIFIED SCHOOL DISTRICT

EXHIBIT "D"
SEWER EASEMENT
APN: 020-120-28S (PARCEL 2)

DR. BY LJ
CH. BY RSW
DATE 5/6/24
SCALE: AS NOTED

SHEET NO. 1 OF 1 SHEETS

Drawing: P:\219-0139\Site\Exhibits\SewerEase\APN 020-120-28 Parcel 2\219139_ESMT_Exhibit-D-2.dwg Layout1 - BCF.ctb Plot by: jlorenz May 06, 2024 - 2:39pm

Recording Requested by
and when recorded, return to:

City Clerk
City of Kerman
850 S. Madera Avenue
Kerman, California 93630

Exempt from the $75 Building and Jobs Act Fee per Gov't Code §27388.1(2)(D) Public Agency
No fee pursuant to Government Code § 6103
No Documentary Transfer Tax per R&T Code § 11922
No Recording Fee per Government Code § 27383

IRREVOCABLE & PERPETUAL
OFFER TO DEDICATE PUBLIC UTILITY AND STREET RIGHTS OF WAY

APN *020-120-32ST (portion)*

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Kerman Unified School District, a public school district duly organized and validly existing under the Constitution and Laws of the State of California, as GRANTOR, hereby OFFERS to the City of Kerman, a California Municipal Corporation, as CITY, an irrevocable easement for public utilities purposes over a portion of certain property described as in exhibit "A" and depicted in exhibits "B", and an easement for public road and utility purposes as described in exhibit "C" and depicted in exhibit "D" in the County of Fresno, State of California.

This Offer is made pursuant to Section 7050 of the Government Code of the State of California and may be accepted at any time by the City of Kerman. This Offer shall convey to the City upon its acceptance, a superior right of easement over any facilities located on or under the property or which may be constructed in the future.

This Easement and Offer shall be irrevocable and shall be binding on the GRANTOR its heirs executors, administrators, successors and assigns.

IN WITNESS WHEREOF, Owner hereunto caused its/their name(s) to be subscribed this 21 day of February, 2025.

IRREVOCABLE & PERPETUAL OFFER TO DEDICATE PUBLIC UTILITY AND STREET RIGHTS OF WAY
APN 020-120-32ST (PORTION)

GRANTOR

Kerman Unified School District, a public school district duly organized and validly existing under the Constitution and Laws of the State of California

Kraig Magnussen
Assistant Superintendent

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Fresno

On Feb 21, 2025 before me, -CHARLES H. JONES, Notary Public, Notary Public, personally appeared -- Kraig Magnussen,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

CHARLES H. JONES
Notary Public - California
Fresno County
Commission # 2359805
My Comm. Expires Jun 21, 2025

Signature of Notary Public

(Seal)

IRREVOCABLE & PERPETUAL OFFER TO DEDICATE PUBLIC UTILITY AND STREET RIGHTS OF WAY
APN 020-120-32ST (PORTION)

CITY

City of Kerman, A California Municipal Corporation

The City of Kerman agrees to the making of the Irrevocable and Perpetual Offer of Dedication for Public Utility Easements and Road Easements and agrees to the recording thereof, and will accept this dedication upon the construction and completion of those improvements identified in the City's project plan(s) for the "Kerman Unified School District Street Improvements for First Street Extension" specific to the portion thereof that applies to the easements identified herein.

_____ _____

John Jansons
City Manager

Date

IRREVOCABLE & PERPETUAL OFFER TO DEDICATE PUBLIC UTILITY AND STREET RIGHTS OF WAY
APN 020-120-32ST (PORTION)

EXHIBIT "A"

LEGAL DESCRIPTION

APN: A Portion of 020-120-32ST
Public Utility Easement

A portion of Parcel 1 granted by that Grant Deed, recorded February 01, 2017, as Document No. 2017-0012775, of Official Records of Fresno County, lying in the Southeast quarter of Section 1, Township 14 South, Range 17 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, in the County of Fresno, State of California, more particularly described as follows:

PARCEL 1

COMMENCING at the Southwest corner of said Parcel 1; thence North 1°14'59" East, along the West line of said Parcel 1, a distance of 15.79 feet to the **POINT OF BEGINNING;**

thence continuing North 1°14'59" East, along said West line, a distance of 20.01 feet to a point of intersection thereof with a line which is parallel with and 85.00 feet North of the South line of said Southeast quarter;

thence North 89°51'51" East, along said parallel line, a distance of 602.39 feet;

thence South 42°34'39" West, a distance of 27.22 feet to a point of intersection thereof with a line which is parallel with and 65.00 feet North of said South line of the Southeast quarter;

thence South 89°51'51" West, along last said parallel line, a distance of 584.41 feet to the **POINT OF BEGINNING.**

Containing an area of 11,868 square feet or 0.27 acres, more or less.

PARCEL 2

COMMENCING at the Northwest corner of Parcel F as shown on Parcel Map No. 15, according to the map thereof recorded in Book 29 of Parcel Maps, at Page 58, Fresno County Records; then thence North 89°50'02" East, along the North line of said Parcel F, a distance of 13.35 feet to the beginning point of a non-tangent curve, concave Easterly, with a radial bearing South 83°52'30" East, and the **POINT OF BEGINNING;**

thence Northerly, along the arc of said non-tangent curve, with a radius of 265.00 feet, through a central angle of 1°05'20" , an arc distance of 5.04 feet to a point of intersection thereof with a line which is parallel with and 5.00 North of said North line of Parcel F;

thence North 89°50'02" East, along said parallel line a distance of 7.82 feet;

thence South 0°08'09" East, a distance of 5.00 feet to a point of intersection thereof with said North line of Parcel F;

thence South 89°50'02" West, along said North line, a distance of 8.42 feet to the **POINT OF BEGINNING.**

Containing an area of 41 square feet, more or less.

PARCEL 3

COMMENCING at the Northeast corner of said Parcel 1; thence South 89°49'52" West, along the North line of said Parcel 1, a distance of 1063.24 feet; thence South 0°10'08" East, a distance of 60.83 feet to the **POINT OF BEGINNING;**

thence continuing South 0°10'08" East, a distance of 5.00 feet to a point of intersection thereof with a line which is 65.83 feet South of said North line of Parcel 1;

thence South 89°49'52" West, along said parallel line, a distance of 13.38 feet;

thence South 44°50'51" West, a distance of 62.37 feet;

the thence South 0°08'09" East, a distance of 127.37 feet;

thence North 60°04'02" West, a distance of 5.78 feet;

thence North 0°08'09" West, a distance of 124.47 feet; to the beginning point of a tangent curve, concave Southeasterly;

thence Northeasterly, along the arc of said tangent curve, with a radius of 38.00 feet, through a central angle of 44°59'00", an arc distance of 29.83 feet to the beginning of a tangent line;

thence North 44°50'51" East, along said tangent line, a distance of 15.72 feet to the beginning of a tangent curve, concave Southeasterly;

thence Northeasterly, along the arc of last said tangent curve, with a radius of 38.00 feet, through a central angle of 44°59'00", an arc distance of 29.83 feet to the beginning of a tangent line and a point of intersection thereof with a line which is parallel with and 60.83 feet South of said North line of Parcel 1;

thence North 89°49'52" East, along last said Paralell line, a distance of 13.38 feet to the **POINT OF BEGINNING.**

Containing an area of 1,516 square feet, or 0.03 acres, more or less.

PARCEL 4

COMMENCING at the Northeast corner of Parcel E, as shown on Parcel Map 15, according to the map thereof recorded in Book 29 of Parcel Maps, at Page 58, Fresno County Records; thence South 89°50'02" West, along the North line of said Parcel E, a distance of 1.50 feet to the **POINT OF BEGINNING;**

thence South 89°50'02" West, continuing along the North line of said Parcel E, a distance of 10.50 feet to a point of intersection thereof with a line which is parallel with and 62.00 feet West of the East line of said Southeast quarter;

thence North 01°10'46" East, along said parallel line, a distance of 581.09 feet;

thence South 44°24'39" East, a distance of 14.70 feet to a point of intersection thereof with a line which is parallel with and 51.50 feet West of said East line of the Southeast quarter;

thence South 1°10'46" West, along last said parallel line, a distance of 539.72 feet;

thence South 62°34'08" West, a distance of 2.28 feet to a point of intersection thereof with a line which is parallel with and 53.50 feet West of said East line of the Southeast quarter;

thence South 1°10'46" West, along last said parallel line, a distance of 26.53 feet;

thence South 60°12'36" East, a distance of 2.28 feet to a point of intersection thereof with a line which is parallel with and 51.50 feet West of said East line of the Southeast quarter;

thence South 1°10'46" West, along last said parallel line, a distance of 2.13 feet to the **POINT OF BEGINNING.**

Containing an area of 5,991 square feet, or 0.14 acres, more or less.

PARCEL 5 (Sewer Easement)

BEGINNING at the Northwest corner of said Parcel 1;

thence North 89°49'52" East, along the North line of said Parcel 1, a distance of 749.06 feet to the beginning point of a non-tangent curve, concave Northwesterly, with a radial bearing of North 62°38'45" West;

thence Southwesterly, along the arc of said non-tangent curve, with a radius of 37.50 feet, through a central angle of 16°00'01", an arc distance of 10.47 feet to a point of reverse curvature with a tangent curve, concave Southeasterly;

thence Southwesterly, along the arc of said tangent curve, with a radius of 55.00 feet, through a central angle of 26°12'23", an arc distance of 25.16 feet to a point of intersection thereof with a line which is parallel with and 30.00 feet South of said North line of Parcel 1;

thence South 89°49'52" West, along said parallel line, a distance of 731.11 feet to a point of intersection thereof with the West line of said Parcel 1;

thence North 1°14'59" West, along said West line, a distance of 30.01 feet to the **POINT OF BEGINNING.**

Containing an area of 22,170 square feet or 0.51 acres, more or less.

END DESCRIPTION

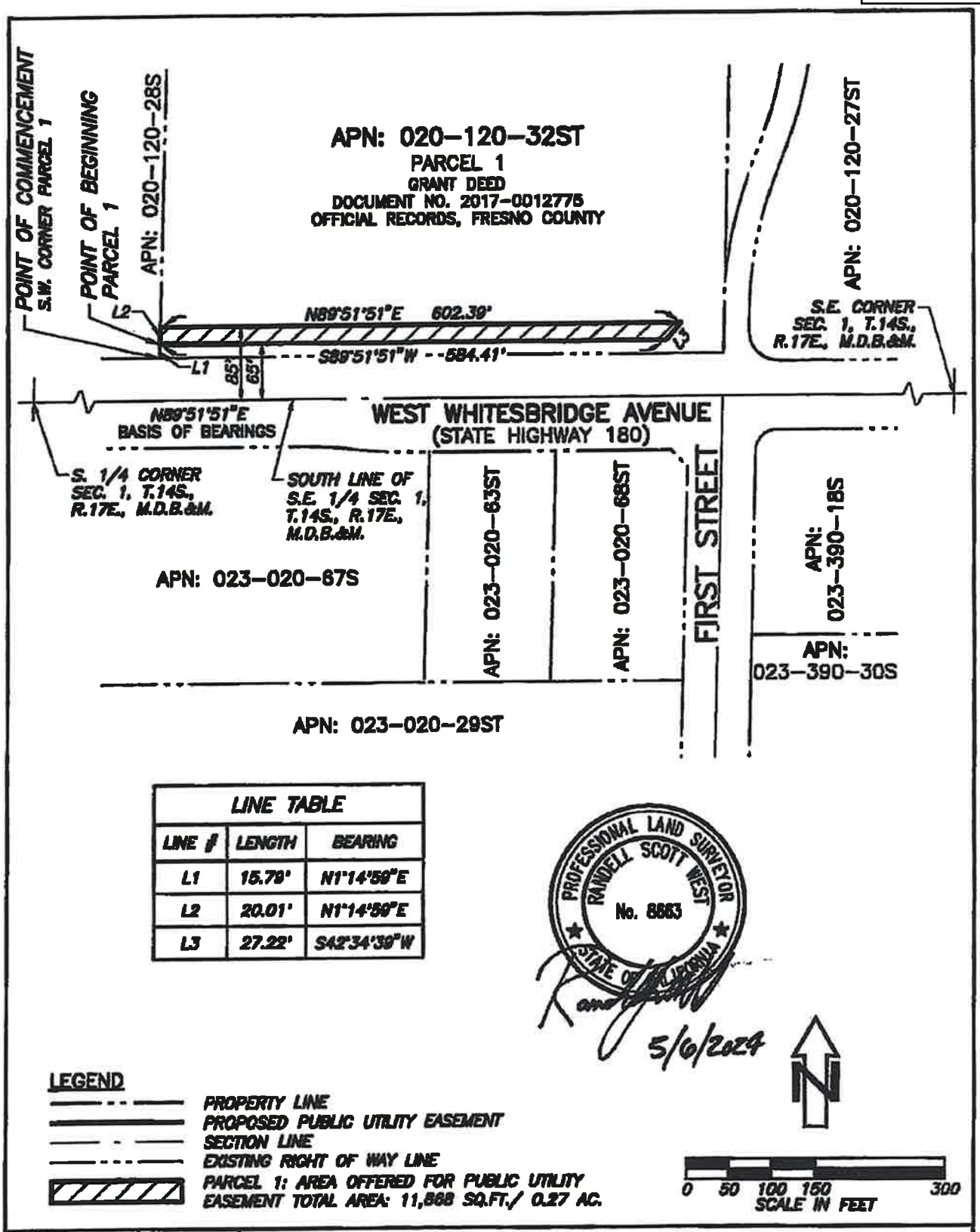
This legal description was prepared by me, or under my direction, in accordance with the Professional Land Surveyors' Act.

May 6, 2024
Date

Randell Scott West, PLS 8663
Blair, Church & Flynn Consulting Engineers



P:\219-0159\Site\Exhibits\Utilities\APN 020-120-32\Legal APN 020-120-32_Utility.Doc



LINE TABLE		
LINE #	LENGTH	BEARING
L1	15.79'	N1°14'59"E
L2	20.01'	N1°14'59"E
L3	27.22'	S42°34'39"W

PROFESSIONAL LAND SURVEYOR
RANDELL SCOTT WEST
No. 8863
STATE OF CALIFORNIA

5/6/2024

LEGEND

- PROPERTY LINE
- PROPOSED PUBLIC UTILITY EASEMENT
- SECTION LINE
- EXISTING RIGHT OF WAY LINE
- PARCEL 1: AREA OFFERED FOR PUBLIC UTILITY EASEMENT TOTAL AREA: 11,868 SQ.FT./ 0.27 AC.

0 50 100 150 300
SCALE IN FEET

Blair, Church Flynn
CONSULTING ENGINEERS

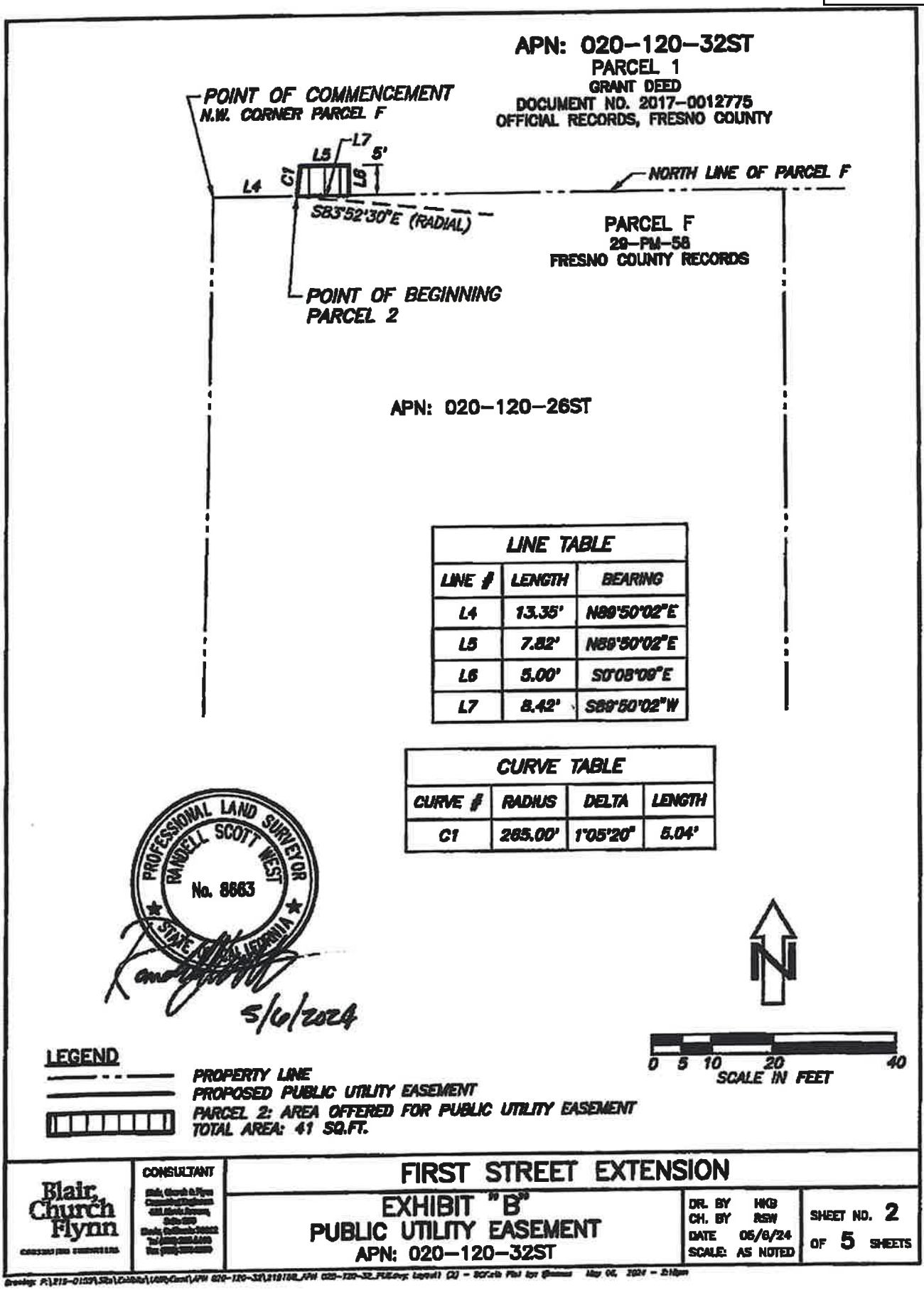
CONSULTANT

FIRST STREET EXTENSION

EXHIBIT "B"
PUBLIC UTILITY EASEMENT
APN: 020-120-32ST

DR. BY HKB
CH. BY RSW
DATE 05/6/24
SCALE: AS NOTED

SHEET NO. 1 OF 5 SHEETS



LINE TABLE		
LINE #	LENGTH	BEARING
L4	13.35'	N89°50'02"E
L5	7.82'	N89°50'02"E
L6	5.00'	S0°08'09"E
L7	8.42'	S89°50'02"W

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C1	265.00'	1°05'20"	5.04'

LEGEND

PROPERTY LINE

PROPOSED PUBLIC UTILITY EASEMENT

PARCEL 2: AREA OFFERED FOR PUBLIC UTILITY EASEMENT
TOTAL AREA: 41 SQ.FT.

Blair, Church & Flynn

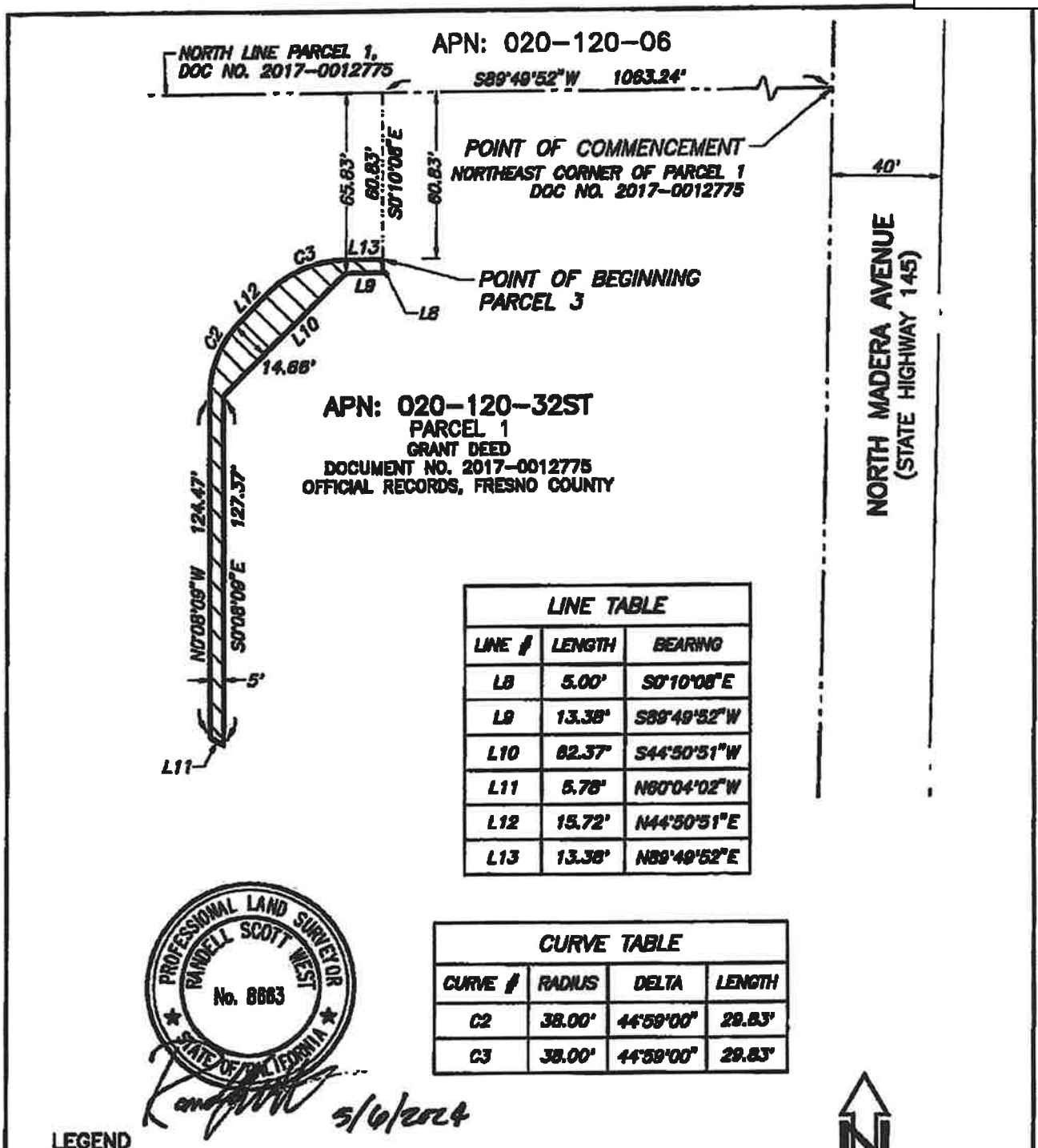
CONSULTANT

FIRST STREET EXTENSION

EXHIBIT "B"
PUBLIC UTILITY EASEMENT
APN: 020-120-32ST

DR. BY HKB
CH. BY RSW
DATE 05/6/24
SCALE: AS NOTED

SHEET NO. 2 OF 5 SHEETS



LINE TABLE		
LINE #	LENGTH	BEARING
L8	5.00'	S0°10'08"E
L9	13.38'	S89°49'52"W
L10	62.37'	S44°50'51"W
L11	5.78'	N60°04'02"W
L12	15.72'	N44°50'51"E
L13	13.38'	N89°49'52"E

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C2	38.00'	44°59'00"	29.83'
C3	38.00'	44°59'00"	29.83'

Blair, Church Flynn

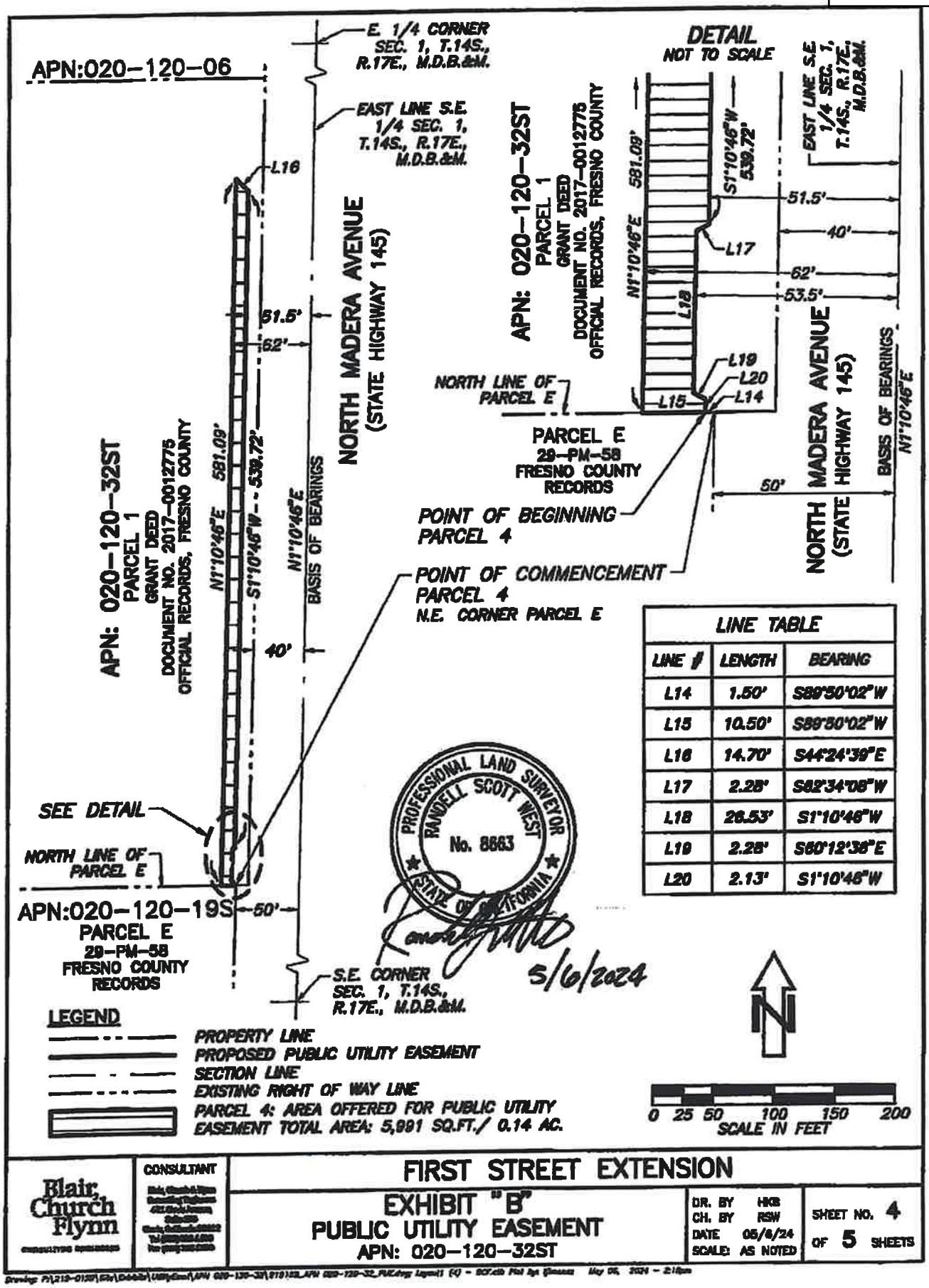
CONSULTANT

FIRST STREET EXTENSION

EXHIBIT "B"
PUBLIC UTILITY EASEMENT
APN: 020-120-32ST

DR. BY HKB
CH. BY RSW
DATE 05/6/24
SCALE: AS NOTED

SHEET NO. 3 OF 5 SHEETS



LINE TABLE		
LINE #	LENGTH	BEARING
L14	1.50'	S89°50'02"W
L15	10.50'	S89°50'02"W
L16	14.70'	S44°24'39"E
L17	2.28'	S82°34'08"W
L18	26.53'	S1°10'46"W
L19	2.28'	S80°12'38"E
L20	2.13'	S1°10'46"W

Blair, Church Flynn

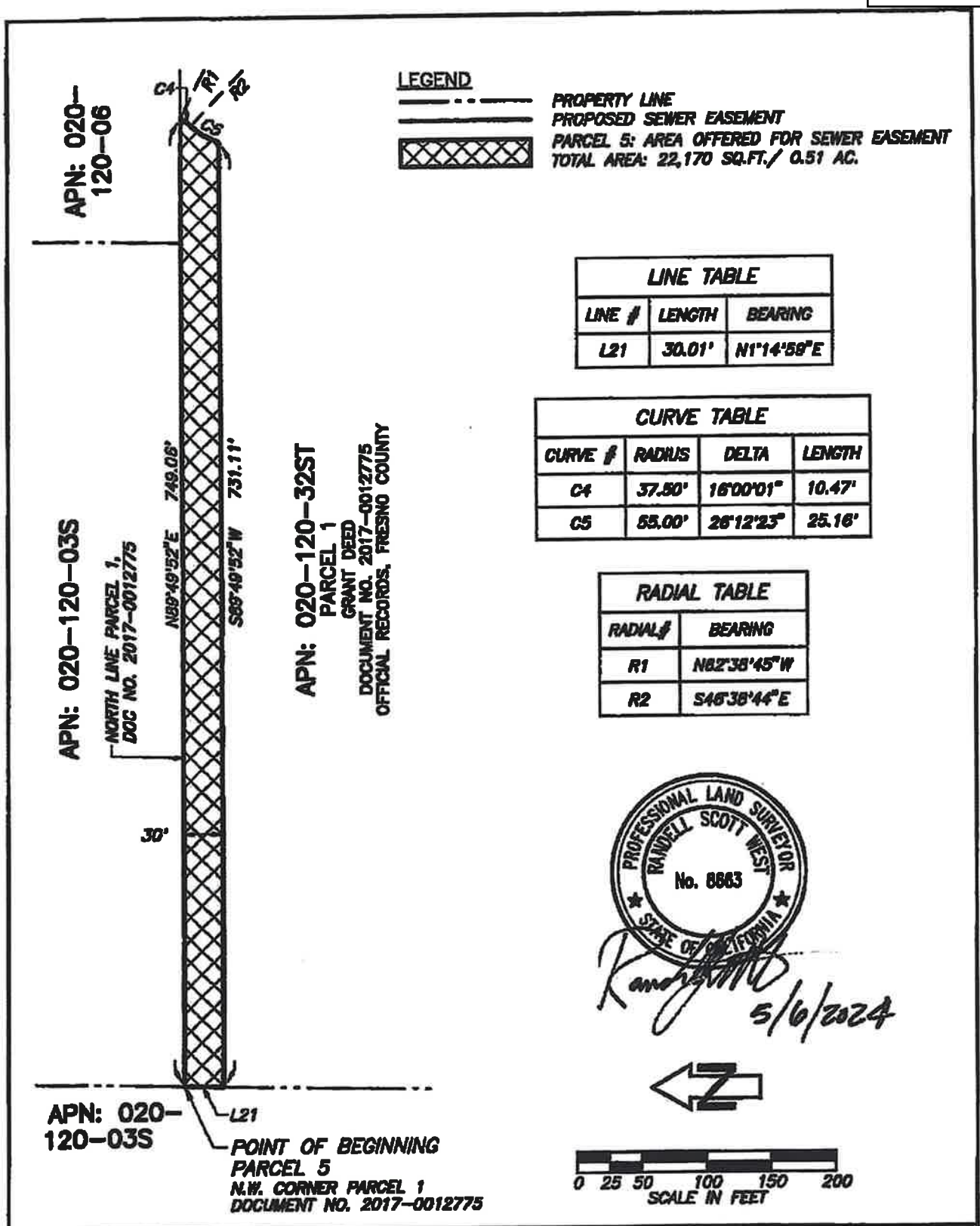
CONSULTANT

FIRST STREET EXTENSION

EXHIBIT "B"
PUBLIC UTILITY EASEMENT
APN: 020-120-32ST

DR. BY HKB
CH. BY RSW
DATE 05/6/24
SCALE: AS NOTED

SHEET NO. 4 OF 5 SHEETS



LINE TABLE		
LINE #	LENGTH	BEARING
L21	30.01'	N1°14'58"E

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C4	37.50'	16°00'01"	10.47'
C5	55.00'	26°12'23"	25.16'

RADIAL TABLE	
RADIAL #	BEARING
R1	N62°38'45"W
R2	S46°38'44"E

PROFESSIONAL LAND SURVEYOR
RANDELL SCOTT WEST
No. 8863
STATE OF CALIFORNIA

5/6/2024

Blair, Church Flynn
CONSULTING ENGINEERS

CONSULTANT

FIRST STREET EXTENSION

EXHIBIT "B"
SEWER EASEMENT
APN: 020-120-32ST

DR. BY HKB
CH. BY RSW
DATE 05/8/24
SCALE: AS NOTED

SHEET NO. 5 OF 5 SHEETS

EXHIBIT "C"

LEGAL DESCRIPTION

APN: A Portion of 020-120-32ST
City of Kerman Right-of-Way Dedication

A portion of Parcel 1 granted by that Grant Deed, recorded February 1, 2017, as Document No. 2017-0012775, of Official Records of Fresno County, lying in the Southeast quarter of Section 1, Township 14 South, Range 17 East, Mount Diablo Base and Meridian, according to the Official Plat thereof, in the County of Fresno, State of California, more particularly described as follows:

BEGINNING at the Northwest corner of Parcel F as shown on Parcel Map No. 15, according to the map thereof recorded in Book 29 of Parcel Maps, at Page 58, Fresno County Records;

thence South 1°13'35" West, a distance of 570.78 feet to a point of intersection thereof with a line which is parallel with and 92.00 feet North of the South line of said Southeast quarter;

thence South 89°51'51" West, along said parallel line, a distance of 44.66 feet;

thence North 0°08'09" West, a distance of 541.73 feet to the beginning of a tangent curve, concave Southeasterly;

thence Northeasterly, along the arc of said tangent curve, with a radius of 335.00 feet, through a central angle of 44°05'17", an arc distance of 257.78 feet to a point of reverse curvature with a tangent curve, concave Northwesterly;

thence Northeasterly, along the arc of last said tangent curve, with a radius of 265.00 feet, through a central angle of 44°05'17", and arc distance of 203.91 feet to the beginning of a tangent line;

thence North 0°08'09" West, along said tangent line, a distance of 113.76 feet to the beginning of a tangent curve, concave Southeasterly;

thence Northeasterly, along the arc of last said tangent curve, with a radius of 18.00 feet, through a central angle of 30°33'30", an arc distance of 9.60 feet to a point of reverse curvature with a tangent curve, concave Northwesterly;

thence Northeasterly, with a radius of 18.00 feet, through a central angle of 30°33'30", an arc distance of 9.60 feet to the beginning of a tangent line;

thence North 0°08'09" West, along last said tangent line, a distance of 33.08 feet to the beginning point of a tangent curve, concave Southwesterly;

thence Northwesterly, along the arc of last said tangent curve, with a radius of 37.50 feet,

through a central angle of 43°08'11", an arc distance of 28.23 feet to a point of reverse curvature with a tangent curve, concave Easterly;

thence Northerly, with a radius of 55.00 feet, through a central angle of 86°37'36", an arc distance of 83.16 feet to a point of reverse curvature with a tangent curve, concave Northwesterly;

thence Northeasterly, with a radius of 37.50 feet, through a central angle of 16°00'00", an arc distance of 10.47 feet to a non-tangent line and a point of intersection thereof with the North line of said Parcel 1;

thence North 89°49'52" East, along said North line, a distance of 1151.01 feet to a point of intersection thereof with a line which is parallel with and 78.50 feet West of the East line of said Southeast quarter;

thence South 1°10'46" West, along last said parallel line, a distance of 65.85 feet to a point of intersection thereof with a line which is parallel with and 65.83 feet South of said North line;

thence South 89°49'52" West, along last said parallel line, a distance of 814.16 feet;

thence South 44°49'52" West, a distance of 5.66 feet to a point of intersection thereof with a line which is parallel with and 69.83 feet South of said North line;

thence South 89°49'52" West, along last said parallel line, a distance of 28.00 feet;

thence North 45°10'08" West, a distance of 12.72 feet to a point of intersection thereof with a line which is parallel with and 60.83 feet South of said North line;

thence South 89°49'52" West, along last said parallel line, a distance of 181.40 feet to the beginning of a tangent curve, concave Southeasterly;

thence Southwesterly along the arc of last said tangent curve, with a radius of 38.00 feet, through a central angle of 44°59'00", an arc distance of 29.83 feet to the beginning of the tangent line;

thence South 44°50'51" West, along last said tangent line, a distance of 15.72 feet to the beginning of a tangent curve, concave Southeasterly;

thence Southwesterly along the arc of last said tangent curve, with a radius of 38.00 feet, through a central angle of 44°59'00", an arc distance of 29.83 feet to the beginning of a tangent line;

thence South 0°08'09" East, along last said tangent line, a distance of 124.47 feet;

thence South 60°04'02" East, a distance of 5.78 feet;

thence South 0°08'09" East, a distance of 37.50 feet to the beginning of a tangent curve, concave Northwesterly;

thence Southwesterly, along the arc of last said tangent curve, with a radius of 335.00 feet, through a central angle of 44°05'17", an arc distance of 257.78 feet to a point of reverse curvature with a tangent curve, concave Southeasterly;

thence Southwesterly, along the arc of last said tangent curve, with a radius of 265.00 feet, through a central angle of 37°49'38", an arc distance of 174.95 feet to a point of intersection thereof with said North line of Parcel F;

thence South 89°50'02" West, along said North line of Parcel F, a distance of 13.35 feet to the **POINT OF BEGINNING;**

Containing an area of 149,700 square feet or 3.44 acres, more or less.

END DESCRIPTION

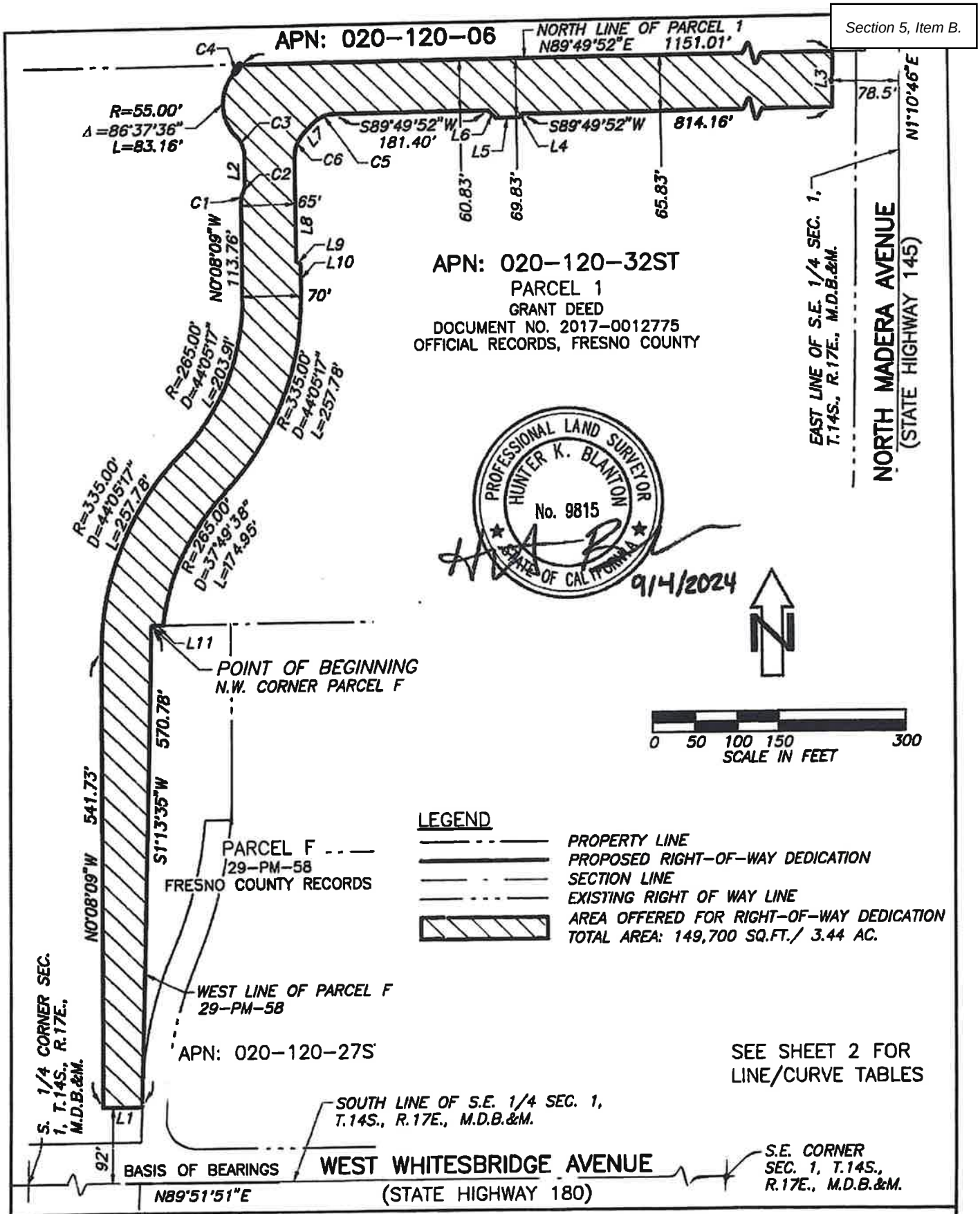
This legal description was prepared by me, or under my direction, in accordance with the Professional Land Surveyors' Act.

September 4, 2024

Hunter Kenley Blanton, PLS 9815 — Date

Blair, Church & Flynn Consulting Engineers





Blair, Church Flynn
CONSULTING ENGINEERS

CONSULTANT
Blair, Church & Flynn Consulting Engineers
461 Clovis Avenue, Suite 200
Clovis, California 93612
Tel (559) 326-1400
Fax (559) 326-1500

CITY OF KERMAN

EXHIBIT "D"
RIGHT-OF-WAY DEDICATION
APN: 020-120-32ST

DR. BY LJ
CH. BY HKB
DATE 09/04/24
SCALE: AS NOTED

SHEET NO. 1 OF 2 SHEETS

Drawing: P:\219-0159\Site\Exhibits\City ROW Easements\APN 020-120-32ST\219159_APN 020-120-32_City_ROW...dwg, Layout1 - ECF.ctb Plot by: ljimenez Sep 04, 2024 - 3:13pm

LINE TABLE		
LINE #	LENGTH	BEARING
L1	44.66'	S89°51'51"W
L2	33.08'	N0°08'09"W
L3	65.85'	S1°10'46"W
L4	5.66'	S44°49'52"W
L5	28.00'	S89°49'52"W
L6	12.72'	S45°10'08"E
L7	15.72'	S44°50'51"W
L8	124.47'	S0°08'09"E
L9	5.78'	S60°04'02"E
L10	37.50'	S0°08'09"E
L11	13.35'	S89°50'02"W

CURVE TABLE			
CURVE #	RADIUS	DELTA	LENGTH
C1	18.00'	30°33'30"	9.60'
C2	18.00'	30°33'30"	9.60'
C3	37.50'	43°08'11"	28.23'
C4	37.50'	16°00'00"	10.47'
C5	38.00'	44°59'00"	29.83'
C6	38.00'	44°59'00"	29.83'

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CITY OF KERMAN

EXHIBIT "D"
RIGHT-OF-WAY DEDICATION
APN: 020-120-32ST

DR. BY LJ
CH. BY HKB
DATE 09/04/24
SCALE: AS NOTED

SHEET NO. 2
OF 2 SHEETS

Drawing: P:\219-0159\Site\Exhibits\City ROW Easements\APN 020-120-32S\219159_APN 020-120-32_City ROW..dwg: Layout1 (2) - BDF.ctb Plot by: Timmer Sep 04, 2024 - 3:14pm

STAFF REPORT

MEETING DATE: February 26, 2025

PRESENTER: Jerry Jones, Community Development Director

SUBJECT: Del Norte Estates Project: General Plan Amendment (GPA 2023-03), Rezone (REZ 2023-04), Tentative Subdivision Map (TSM 2023-04), Annexation (ANX 2023-04), and an Environmental Impact Report (SCH No. 2024031008) (ENV 2023-08) pertaining to three (3) parcels located on the north side of Whitesbridge Road (State Route 180) between North Siskiyou and North Madera Avenues (APNs 020-120-29S, 020-120-30S and 020-120-28ST) (JJ)

RECOMMENDATION: Council consider the second reading of the ordinance, adoption of the Tentative Subdivision Map Resolution and Annexation Initiation Resolution; deliberate; and by motion

1. Waive the full reading and adopt an ordinance of the City Council of the City of Kerman amending the official City of Kerman zoning map for three (3) parcels identified as Assessor's Parcel Numbers (APNs 020-120-29S, 020-120-30S, and 020-120-28ST) pre-zoning approximately 38 acres to the Smart Development Combining District – Residential – Minimum 5,000 square feet (SD-R-5.0), approximately 10.96 acres within the Two Family Residential (R-2), 4 acres within the Multi-Unit Residential (R-3), and 18.95 acres within the General Commercial zoning districts (CG), totaling approximately 72.29 acres.

2. Adopt a resolution of the City Council of the City of Kerman approving Tentative Subdivision Map 2023-04 for a property located on the north side of Whitesbridge Road (State Route 180) between north Siskiyou and North Madera Avenue (APNs 020-120-29S, 020-120-30S, and 020-120-28ST); and

3. Adopt a resolution of the City Council of the City of Kerman initiating annexation for the Del Norte Estates residential project consisting of three (3) parcels identified as APNs 020-120-29S, 020-120-30S, and 020-120-28ST containing approximately 79.29 acres located on the north side of Whitesbridge Road (State Route 180) between North Siskiyou and North Madera Avenues (Annexation 2023-04).

EXECUTIVE SUMMARY:

The Council conducted a duly noticed public hearing on January 22, 2025, on the Del Norte Estates Project which is described in the subject line above. At the conclusion of the public hearing and after deliberations, the Council approved the resolution adopting and certifying the Environmental Impact Report and amending the General Plan for the Project and introduced the ordinance that amends the Zoning Map. The related annexation initiation and tentative subdivision map were also

presented at the meeting; however, Council did not take action on those matters. At this meeting, the Council is asked to (i) conduct second reading and adopt the ordinance, (ii) adopt the resolution approving the tentative subdivision map, and (iii) adopt the resolution initiating annexation as noted in the recommendation above.

BACKGROUND:

The Holland Group (Applicant/Developer) proposes Annexation (ANX) 2023-04, General Plan Amendment (GPA) 2023-03), Rezone (REZ) 2023-04, Tentative Subdivision Map (TSM) 2023-04, and related Environmental Impact Report (ENV) 2023-08 pertaining to three (3) parcels identified as Assessor's Parcel Numbers (APNs) 020-120-29S (24.24 acres), 020-120-30S (24.14 acres) and 020-120-28ST (23.91 acres), totaling approximately 72.29 acres located on the north side of Whitesbridge Road (State Route 180) between North Siskiyou Avenue and North Madera Avenue. The Project would result in the annexation of ±72.29 acres from the County of Fresno to the City of Kerman, an amendment to the 2040 Kerman General Plan planned land use designations for ±48.38 acres, an amendment to the official zoning map of the City of Kerman for ±72.29 acres, and the subdivision of ±48.38 acres for future single-family, multi-family, and commercial uses. Future development of the Project site would require additional entitlements, including but not limited to a Development Plan Permit, Site Plan Review, and Conditional Use Permit.

Applicable Codes and Procedures:

KMC Title 16 – Subdivisions
KMC 17.10 – Residential Zones
KMC 17.12 – Commercial, Office, and Mixed-Use Zones
KMC 17.18 – Combining Zones
KMC 17.20 – General Site Planning and Development Standards
KMC 17.98 – CEQA Procedures
KMC 17.112 – Amendments
KMC 17.116 – Public Notices and Hearings
Public Resource Code – 21000 et seq.

Site Location

The Project site is currently in the jurisdiction of the County of Fresno, California. The site is located on the north side of Whitesbridge Road (State Route 180) between North Madera and North Siskiyou Avenues, consisting of three (3) parcels that total approximately 72.29 acres. The site is identified by the Fresno County Assessor as Assessor's Parcel Numbers (APNs) 020-120-29S (24.24 acres), 020-120-30S (24.14 acres), and 020-120-28S (23.91 acres). The Project Vicinity Map is shown in **Attachment 'A'**.

Setting and Surrounding Uses

As referenced in **Table 1**, the Project site is surrounded by agricultural land to the north, residential uses to the south and west and a new school facility to the east. The properties to the north,

northeast and northwest are planned for residential use within the City of Kerman Sphere of Influence. Properties to the west and south are existing single-family residential properties. The Aerial Photograph and Physical Setting of the Project site is shown in **Attachment 'B'**.

Table 1. Existing Land Use, General Plan Designation, and Zone District of Surrounding Properties

Direction from site	Existing Land Use	General Plan Designation	Zone District
North	Agriculture	MDR - Medium Density Residential	AL – 20, Agriculture Limited - 20 Acre (County)
East	KUSD - School Site	Schools/Institutional (S/I)	UR – Urban Reserve & CG – General Commercial
South	Single-Family	MDR - Medium Density Residential	R-1-7, Single-Family Residential (7000 SF Min. Lot)
West	Single -Family	MDR - Medium Density Residential	SD-R-5.0, SD Residential (5000 SF Min. Lot)

General Plan Land Use Designation

The Project site has City of Kerman 2040 General Plan land use designations of MDR – Medium Density Residential (46.84 acres) and GC – General Commercial (25.45 acres). Acreages of land use designations by APN are shown in **Table 2**. The General Plan Land Use Map for the Project site is shown in **Attachment 'C'**.

Table 2. Acreages of Existing Land Use Designations by APN

APN	General Plan Land Use Designation (Acres)	
	MDR – Medium Density Residential	GC – General Commercial
APN 020-120-28ST	10.96	12.95
APN 020-120-29S	24.24	0
APN 020-120-30S	11.64	12.50
Total	46.84	25.45

Zone District

The Project site is located within the City's Sphere of Influence but since it is outside City limits, the site is zoned by the County. The site is within the County of Fresno's Agricultural Exclusive – 20 Acres (AE-20) and Limited Agricultural – 20 Acres (AL-20) zone districts. The Zoning Map (existing) for the Project site is shown in **Attachment 'D'**.

ANALYSIS:

Annexation 2023-04

Annexation (ANX) 2023-04 would initiate the annexation process for three (3) parcels identified as APNs 020-120-29S (24.24 acres), 020-120-30S (24.14 acres) and 020-120-28ST (23.91 acres), totaling approximately 72.29 acres located in the City of Kerman Sphere of Influence, on the north side of Whitesbridge Road (State Route 180) between North Siskiyou Avenue and North Madera Avenue from the County of Fresno to the City Limits of the City of Kerman, in addition to adjacent right-of-way, and detach the annexation area from the Kings River Conservation District and into the Fresno Irrigation District. The Annexation Boundary is shown in **Exhibit 1 to Attachment 'J'**.

The annexation application will be considered by the Fresno County Local Agency Formation Commission (LAFCO) for approval. Per LAFCO, the annexation is required to comply with LAFCO policies and objectives. Pursuant to the Second Amendment and Restated Memorandum of Understanding (MOU) between the County of Fresno and City of Kerman, the City must issue a notice of intent to annex and request a finding of consistency with the MOU, at least 30 days prior to filing any annexation proposal with the Fresno County LAFCO.

General Plan Amendment 2023-03

General Plan Amendment (GPA) 2023-03 would amend the Kerman 2040 General Plan planned land use designations for the parcels identified as APNs 020-120-29S and 020-120-30S as shown in **Table 3**. GPA 2023-03 would result in approximately 38 acres of MDR – Medium Density Residential, 4 acres of HDR – High Density Residential, and 6 acres of GC – General Commercial land use designations, representing an increase in acreages of MDR and HDR land use designations, and decrease in acreage of the GC land use designation. No amendment is proposed for the parcel identified as APN 020-120-28ST; the parcel would remain MDR and GC as currently exists.

Table 3. Existing and Proposed Land Use Designations for APNs 020-120-29S and 020-120-30S

General Plan Land Use Designation	Existing Acreages	Proposed Acreages
MDR – Medium Density Residential	35.88	38.88
HDR – High Density Residential	0	4
GC – General Commercial	12.50	6

The definition and description of the MDR, HDR, and GC land use designations per the General Plan, and an analysis of the project's consistency with the General Plan are described below.

- **MDR – Medium Density Residential Land Use Designation:** The MDR land use designation "allows for residential development at a density of 5 to 12 units per gross acre. Development in this category could include a mix of single-family and multifamily residences, including duplexes, triplexes, fourplexes, and mobile homes." The MDR land use designation is compatible with the R-1-7, R-1-12, R-2, SD-R-5, SD-R-4.5, SD-R-3.5, PD-R-7, and PD-R-12 zoning districts. Typical uses of this land use designation include single-family detached dwellings, small-lot multifamily dwellings including duplexes, triplexes, fourplexes, and

mobile homes, accessory dwelling units, and compatible public and quasi-public uses (e.g., churches, day-care centers, community centers, parks, and schools).

The project proposes 200 single-family lots, "Del Norte Estates," on the portion of the site proposed to be planned for MDR. The number of proposed lots equate to a residential density of 5.2 units per acre (200 lots divided by 38 acres equals 5.2 dwelling units per acre) and would be within the density requirements for the MDR land use designation (5.0 to 12.0 dwelling units per acre). The project also proposes a rezone, which would pre-zone/rezone the MDR portion of the site to the SD-R-5.0 zone district. The SD-R-5.0 zone district is a zone district that is compatible with the MDR land use designation.

- **HDR – High Density Residential Land Use Designation:** The HDR land use designation allows for a minimum density of 20 units per gross acres and a maximum density of 24 units per gross acre. Development in this category could encompass apartment complexes, senior housing, and condominiums." The HDR land use designation is compatible with the R-3, SD-R-2.5, and PD-R-2.5 zoning districts. Typical uses of this land use designation include large-lot multifamily dwellings, including apartment complexes, senior housing, and condominiums, accessory dwelling units, and compatible public and quasi-public uses (e.g., churches, daycare centers, community centers, parks, and schools).

  The project proposes one (1) multi-family lot on the portion of the site proposed to be planned for HDR. The project also proposes a rezone, which would pre-zone/rezone the HDR portion of the site to the R-3 zone district. The R-3 zone district is a zone district that is compatible with the HDR land use designation. The HDR land use designation and the R-3 zone district allows a density range of 20.0 to 24.0 dwelling units per acre, which would allow between 72 and 87 multi-family units on the site. Future development would be subject to compliance with applicable development standards contained in KMC Section 17.10.030 Residential Zones Development Standards in addition to Chapter 17.46 Multi-Unit Dwelling Objective Design Standards and other applicable sections of the Zoning Code. Compliance with these standards would be ensured through the entitlement review process.

- **GC – General Commercial Land Use Designation:** The GC land use designation identified areas generally located along Madera Avenue and Whitesbridge Road that are appropriate for shopping centers, retail uses, and offices. Development with this designation will have the following distinguishing features: landscaping, construction of off- street parking, regulated signs, and site plan review of new uses or extensive expansion of existing uses. Projects in these areas are required to comply with the design standards of the Kerman Zoning Ordinance's design districts. The GC land use designation is compatible with the CG, CSP, and CS zoning districts. The minimum Floor Area Ratio (FAR) is 0.30.

  The project proposes four (4) commercial lots on the portion of the site proposed to be planned for GC. The project also proposes a rezone, which would pre-zone/rezone the GC portion of the site to the CG zone district. The CG zone district is a zone district that is compatible with the GC land use designation. The GC land use designation allows a minimum FAR of 0.30 and the CG zone district allows an intensity range of 0.30 to 1.0 FAR. Future

development would be subject to compliance with the applicable development standards contained in KMC Section 17.12-2 Development Standards – Commercial, Office, and Mixed-Use Zones and other applicable sections of the Zoning Code. Compliance with these standards would be ensured through the entitlement review process.

Rezone 2023-04

Rezone (REZ) 2023-04 would pre-zone approximately 72.29 acres (APNs 020-120-29S, 020-120-30S, and 020-120-28ST) to zoning districts consistent with the underlying General Plan land use designations. The pre-zone would include 38.88 acres to the Smart Development Combining District – Residential – minimum 5,000 square feet (SD-R-5.0), 4 acres to the Multi-Unit Residential (R-3), 10.96 acres to Two-Family Residential (R-2), and 18.95 acres to the General Commercial (CG) zoning districts, as shown in **Attachment 'H'**. Because the site is outside City limits, proposed development would require annexation and a pre-zone of the site to a zoning district consistent with the City of Kerman 2040 General Plan planned land use designation.

The purpose of each proposed zone district as described by the Kerman Municipal Code (KMC), in addition to an analysis of the project, is as follows.

- **Smart Residential Development (SD) Combining Zone District:** The purpose of the Smart Residential Development (SD) combining zone is to promote development designs that respond to significant planning-related issues facing the San Joaquin Valley, including urbanization of agricultural land, air pollution, housing affordability, traffic, aesthetics, and neighborhood deterioration. This new approach to development design has been popularized by the term "smart growth" and its purpose is to achieve the average density goals set forth by each zone.

  The SD combining zone is structured to encourage a comprehensive development that is superior to traditional development of the recent past by increasing walkability and connectivity while achieving the higher net density and preservation of open space goals set forth by the General Plan. To the greatest extent possible, attention shall be given to greater design details and the average density set forth by each individual zone shall be achieved through a mix of residential housing types and sizes. The SD combining zone implements the Low Density Residential (LDR), Medium Density Residential (MDR), High Density Residential (HDR), Quasi-Public (QP), and Schools (S) land use designations in the General Plan.

  The project proposes 200 single-family lots, "Del Norte Estates," which would equate to a residential density of 5.2 units per acre (200 lots divided by 38 acres equals 5.2 dwelling units per acre) and would be within the density requirements for the MDR land use designation (5.0 to 12.0 dwelling units per acre) and the SD-R-5.0 zone district (maximum of 12.0 dwelling units per acre). Future development would be subject to compliance with applicable development standards contained in KMC Section 17.18.030 Smart Residential Development Combining Zone (SD) Standards and Regulations. Compliance with these standards would be ensured through the entitlement review process. Projects within SD zone districts are subject to a Development Plan Permit.

- **Multi-Unit Residential Zone District:** The purpose of the Multi-Unit Residential Zones (R-3) is to provide areas in the City that allow a range of medium and high-density residential development and other compatible uses. Development in these zones is to be designed in a manner which does not conflict with surrounding land uses and does not overburden local streets. The multi-unit residential zones are categorized by maximum density as follows: R-2 and R-3. The multi-unit zones implement the Medium Density Residential (MDR), High Density Residential (HDR), Quasi-Public (QP), and Schools (S) land use designations in the General Plan.

  The project proposes one (1) multi-family lot totaling ± 3.64 acres which would meet the minimum parcel size required for the R-3 zone district (7,000 square feet). The R-3 zone district and HDR land use designation allow a density range of 20.0 to 24.0 dwelling units per acre, which would allow between 72 and 87 multi-family units on the site. Future development would be subject to compliance with applicable development standards contained in KMC Section 17.10.030 Residential Zones Development Standards in addition to Chapter 17.46 Multi-Unit Dwelling Objective Design Standards and other applicable sections of the Zoning Code. Compliance with these standards would be ensured through the entitlement review process.

- **General Commercial Zone District:** The purpose of the General Commercial (CG) zone is to provide areas of the City that allow a wide range of commercial, and office uses which are diverse, visually pleasing, convenient in terms of parking and access, attractive, and used by citizens and visitors. The CG zone implements General Commercial (GC), Regional Commercial (RC), and Office (O) land use designations in the General Plan.

  The project proposes four (4) commercial lots ranging in size from 0.69 acres to 1.88 acres, totaling ± 4.99 acres, and would meet the minimum parcel size required for the CG zone district (6,000 square feet for newly created parcels). The CG zone district allows a development intensity range of 0.30 to 1.0 Floor Area Ratio (FAR), The GC land use designation allows a minimum FAR of 0.30. Future development would be subject to compliance with the applicable development standards contained in KMC Section 17.12-2 Development Standards – Commercial, Office, and Mixed-Use Zones and other applicable sections of the Zoning Code. Compliance with these standards would be ensured through the entitlement review process.

Tentative Subdivision Map 2023-04

Tentative Subdivision Map (TSM) 2023-04 would subdivide the two (2) parcels identified as APNs 020-120-29S and 020-120-30S into 200 single-family lots ranging in size from 5,000 square feet to 10,972 square feet, one (1) multi-family lot, four (4) commercial lots ranging in size from 0.69 acres to 1.88 acres, and five (5) outlots including a pedestrian trail (**Attachment 'I'**). The lot areas conform to the standards of development as defined by the Zoning Ordinance for the applicable development zone districts. No development is currently proposed.

The project proposes 200 single-family lots, "Del Norte Estates," which would equate to a residential density of 5.2 units per acre (200 lots divided by 38 acres equals 5.2 dwelling units per acre) and would be within the density requirements for the MDR land use designation (5.0 to 12.0 dwelling units per acre) and the SD-R-5.0 zone district (maximum of 12.0 dwelling units per acre). Future

development would be subject to compliance with applicable development standards contained in KMC Section 17.18.030 Smart Residential Development Combining Zone (SD) Standards and Regulations. Compliance with these standards would be ensured through the entitlement review process. Projects within the SD zone districts are subject to a Development Plan Review Permit.

The project proposes one (1) multi-family lot totaling ± 3.64 acres which would meet the minimum parcel size required for the R-3 zone district (7,000 square feet). The R-3 zone district allows a density range of 20.0 to 24.0 dwelling units per acre, which would allow between 72 and 87 multi-family units on the site. Future development would be subject to compliance with applicable development standards contained in KMC Section 17.10.030 Residential Zones Development Standards in addition to Chapter 17.46 Multi-Unit Dwelling Objective Design Standards and other applicable sections of the Zoning Code. Compliance with these standards would be ensured through the entitlement review process.

The project proposes four (4) commercial lots ranging in size from 0.69 acres to 1.88 acres, totaling ± 4.99 acres, and would meet the minimum parcel size required for the CG zone district (6,000 square feet for newly created parcels). The CG zone district allows a development intensity range of 0.30 to 1.0 Floor Area Ratio (FAR). Future development would be subject to compliance with the applicable development standards contained in KMC Section 17.12-2 Development Standards – Commercial, Office, and Mixed-Use Zones and other applicable sections of the Zoning Code. Compliance with these standards would be ensured through the entitlement review process.

Ten (10) foot public utilities easements are proposed throughout the development in the rights-of-way at the front of each lot. An eight (8) foot landscape easement and a six (6) foot high block wall is proposed in North Del Norte Avenue. A six (6) foot high block wall is also proposed along the backyards and/or sideyards of all single-family lots adjacent to the outlots designated for trail purposes (Outlots A through D) the multi-family residential lot, and commercial lots. A 7.5-foot-high block wall is proposed at the backyard of those single-family lots backing up to Whitesbridge Road.

Development of the project will also include the continuation of a Fresno Irrigation District (FID) water line easement that is also used as a pedestrian trail. The project will incorporate a 25-foot-wide FID easement and pedestrian trail from Isabella Drive northbound to the northwest limit of Del Norte Estates. In addition to this easement, the City has required an additional 25-foot-wide trail easement that will connect to the FID easement and continue along the northern boundary of the subdivision and connect the pedestrian trail to Del Norte Avenue and is listed as Outlot A and Outlot B on TSM 2023-04. Outlots C and D will also be used for development of pedestrian trails/paths to provide access from the single-family lots to the commercial lots. Since no park space will be provided as part of this project, the project will be required to pay an in lieu fee at the time of construction.

Land Use Plans and Policies

The 2040 General Plan includes policy recommendations related to the various physical development aspects of the community. The policies are supported by a set of goals and objectives. The City Council shall refer to the General Plan's policies, goals, and objectives when deciding on this request. Through the Project and development review process and in collaboration with other City

departments and outside agencies, the Project has been designed to comply with the City's General Plan goals, policies, and objectives. As proposed, the Project will be consistent with the Kerman 2040 General Plan goals and objectives related to land use and the urban form. Below are excerpts from the General Plan that are germane to this Project, with discussion of the Project's consistency.

General Plan Policy LU-1.4. Limit Residential Development Along Highways: *The City shall limit residential development from fronting State Highway 145 and State Highway 180 to ensure public safety. Residential development along these facilities shall be designed and buffered to reduce noise and air pollutant impacts to the maximum extent reasonably feasible and consistent with CEQA review.* The project as proposed is consistent with General Plan Policy LU-1.4. The project site is located on the north side of Whitesbridge Road (State Route 180) between North Madera and North Siskiyou Avenues. The project site is currently planned for MDR and GC land use designations. The portions of the site planned for GC land uses are concentrated toward the intersection of Whitesbridge Road and Del Norte Avenue, with some planned residential on Whitesbridge Road.

Although the project proposes a General Plan Amendment to amend the planned land use designations for two (2) parcels (APNs 020-120-29S and 020-120-30S), GC planned portions of the site would remain concentrated toward the intersection of Whitesbridge Road and Del Norte Avenue. Future residential development of the portions of the site planned for residential use would be subject to compliance with the applicable development standards for the underlying zone district, including setbacks, landscaping, fences, walls, and hedges, etc. which help to ensure adequate buffers between uses to ensure public safety.

In addition, environmental impacts of the project, including the General Plan Amendment and Rezone, have been analyzed in accordance with the California Environmental Quality Act (CEQA). An Environmental Impact Report (EIR) was prepared to evaluate the potential impacts associated with the project. Based upon review of the EIR, air pollutant impacts were found to be less than significant; however, noise-related impacts were found to be potentially significant for transportation noise sources. Calculations were prepared to identify how the facilities should be designed and buffered to reduce impacts, indicating that a sound wall along Whitesbridge Road at the residential lots adjacent to the roadway shall be constructed to a minimum height of 7.5 feet above project site grade, which would result in exterior noise levels below levels of significance. Future residential development would be subject to compliance with this mitigation measure.

Overall, through compliance with the applicable development standards and with the noise-related mitigation measure, the project as proposed would be designed and buffered to reduce impacts to the maximum extent reasonably feasible and consistent with CEQA review, and therefore would be consistent with General Plan Policy LU-1.4.

General Plan Policy LU-1.5. High Density Residential Development Near Goods and Services: *The City shall encourage the development of high-density residential uses near commercial uses, parks, and schools.* The project as proposed is consistent with General Plan Policy LU-1.5. Although the site is not currently planned for High Density Residential (HDR), the project proposes a General Plan Amendment to amend the planned land use designations for two (2) parcels (APNs 020-120-29S and 020-120-30S), which would result in four (4) acres of HDR adjacent to six (6) acres proposed for

commercial uses. Future high-density residential uses would also be near other commercial uses (North Madera Avenue and West Whitesbridge Road), parks (Katey's Kids Park), and schools (Kerman High School plus future KUSD facilities on the east side of Del Norte Avenue). Therefore, as proposed, the project would encourage the development of high-density residential uses near commercial uses, parks, and schools, and would be consistent with General Plan Policy LU-1.5.

General Plan Policy LU-1.6. Agricultural Buffers: *The City shall require non-agricultural land uses adjacent to active agricultural uses to incorporate adequate buffers (e.g., setbacks, fences) to protect public health and limit conflicts with adjoining agricultural operations and pesticide applications.* The project site is adjoined by agricultural land use to the north. Potential conflicts between urban and agricultural uses were analyzed in the EIR prepared for the project in accordance with CEQA. In order to reduce potential conflicts between uses, the EIR requires implementation of the following measures: 1) potential residents shall be notified about possible exposure to agricultural chemicals at the time of purchase/lease of property within the development, 2) a right-to-farm covenant shall be recorded on each residential tract map or be made a condition of each tract map to protect continued agricultural practices in the area, and 3) potential residents shall be informed of the right-to-farm covenant at the time of purchase/lease of property within the development. Future residential development would also be subject to compliance with the applicable development standards for the underlying zone district, including setbacks, landscaping, fences, walls, and hedges, etc. which help to ensure adequate buffers to protect public health and limit conflicts. Overall, through compliance with the mitigation measures and applicable development standards, the project as proposed would incorporate adequate buffers to protect public health and limit conflicts with adjoining agricultural operations and pesticide applications, and therefore would be consistent with General Plan Policy LU-1.6.

General Plan Policy LU-3.2 Urban Form: *To maintain the City's compact form, the City shall maintain growth management controls by managing changes to the City's Sphere of Influence and incorporated City limits. Future changes to the City's Sphere of Influence will be managed by two growth lines, shown on [General Plan] Figure 3-2.)*

- *The City may consider requests to amend the current Sphere of Influence and City limits into Area 1 (shown on Figure 3-2) based on the ability of the City to provide services to the area.*
- *The City may consider requests to amend the current Sphere of Influence and City limits into Area 2 (shown on Figure 3-2) if Area 1 has reached the 80 percent infill criteria (for residentially designated lands). The City Council may, at that time, consider allowing development beyond the Area 1 Growth Boundary Line.*
- *For any change in the Sphere of Influence or City limits, the following considerations will be used:*
    - *80 percent of Area 1's residentially designated land has been developed or has approved development plans.*
    - *Residential housing needs such as affordable housing or a desire for a wider and more diverse range of housing.*
    - *Community needs such as open space, recreational facilities, parks, schools, etc.*
    - *Obstacles to growth such as cost of infrastructure, Williamson Act properties, etc.*
    - *Economic development needs.*

The project site is outside City limits but is within the City's Sphere of Influence. The project requires annexation and therefore would result in a change in City limits. The project as proposed would meet the considerations of General Plan Policy LU-3.2 Urban Form. Specifically, the project would facilitate future residential units which would help meet the city's residential housing needs such as affordable housing or a desire for a wider and more diverse range of housing. The project would also facilitate future open space (multi-family development), recreational facilities (pedestrian trail), and schools (KUSD facility), meeting several community needs. The project would not result in obstacles to growth because future development would be able to connect to City services. The project would also result in infrastructure improvements, including roadway and circulation improvements. Although the project site is subject to the Williamson Act, non-renewal and cancellation efforts are underway concurrently. Lastly, the project would facilitate future commercial uses which would serve the city's economic development needs. Based on these considerations, the project as proposed maintains growth management controls and is consistent with General Plan Policy LU-3.2.

General Plan Policy LU-3.3 Prevent Sprawl Development: *The City shall direct new development to areas that are contiguous to existing or approved development and prevent sprawl development.* The project site is contiguous to existing and approved development within City Limits. Thus, the project does not encourage sprawl and is therefore consistent with General Plan Policy LU-3-3.

General Plan Policy LU-3.4 Leapfrog Development: *The City shall require the Planning Commission and City Council to make a finding before approving new subdivisions that are more than 1/8 mile from existing urban development.* The project site is contiguous to existing urban development and thus would not constitute leapfrog development.

General Plan Policy LU-4.5. Right-to-Farm Disclosure: *The City shall require that property owners and applicants within 1,000 feet of agricultural land or agricultural operations sign and record a deed of notification to document that they were informed of the potential agricultural operations and agricultural conditions in the area.* The project is within 1,000 feet of agricultural land and operations. A right-to-farm disclosure is required for the project through the Conditions of Approval. All future property owners and applicants are required to sign and record a deed of and notification to document that they were informed of the potential agricultural operations and agricultural conditions in the area. In addition, the EIR requires implementation of the following measures: 1) potential residents shall be notified about possible exposure to agricultural chemicals at the time of purchase/lease of property within the development, 2) a right-to-farm covenant shall be recorded on each residential tract map or be made a condition of each tract map to protect continued agricultural practices in the area, and 3) potential residents shall be informed of the right-to-farm covenant at the time of purchase/lease of property within the development. Therefore, the project is consistent with General Plan Policy LU-4.5.

General Plan Policy LU-5.4 New Incompatible Land Uses: *The City shall prohibit the introduction of new incompatible land uses and environmental hazards into existing residential areas.* The project site is currently planned for residential and commercial uses. The properties to the north, northeast and northwest of the site are planned for residential use within the City of Kerman Sphere of Influence. Properties to the west and south are existing single-family residential properties. Although the project proposes a General Plan Amendment and Rezone, the proposed land use designations

and zone districts would remain residential and commercial. Therefore, the project would not introduce new incompatible land uses and environmental hazards into existing residential areas. The project is consistent with General Plan Policy LU-5.4.

Access, Circulation, and Off-Site Improvements

Vehicular access to the site would be provided from West Whitesbridge Road (State Route 180). North Del Norte Avenue and North Siskiyou Avenue near the project site are designated as collectors in the General Plan Circulation Element. Internal circulation within the site would be provided by public streets and pedestrian walkways.

The Project would also result in off-site improvements along West Whitesbridge Road (State Route 180) and North Del Norte Avenue including concrete curb, gutter, sidewalk, paving, median island and landscaping per City of Kerman Public Works Standards. The City will also require an extension of the Class II Bikeway along West Whitesbridge Road (State Route 180) that would connect to the existing Class II facility to the east and west of the site. These improvements will be consistent with the General Plan and Active Transportation Plan.

A traffic impact study was prepared for the project by Ruettgers and Schuler Civil Engineers dated November 2024. The study evaluated projected trip generation based upon the trip generation rates and potential impacts associated with development occurring on the subject property in accordance with the proposed project. The project trip generation was determined by using trip generation rates from the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition) for daily, weekday AM (7:00-8:00 am), and PM (4:30-5:30 pm) peak hours. The residential units are anticipated to generate approximately 2,625 average daily trips including single family and multi-family uses. The General Commercial uses are anticipated to generate 4,135 trips when they are built out. The weekday AM peak hour trips generated for the Project is estimated to be 473 trips including all residential and commercial uses. The weekday PM peak hour trips generated for the units is estimated to be 525 trips.

The analysis contained in the traffic impact study indicates that roadway improvements may be desirable to support the implementation of the project as well as to accommodate other traffic increases expected in the study area in 2044 scenarios. All intersections currently operate at an acceptable level of service and are anticipated to do so through 2044, prior to and with the addition of project traffic. Therefore, no improvements are required.

Public Utilities and Service Systems

The project will be tied into existing municipal water, sewer, and storm drain systems through the extension of existing systems. A sanitary sewer service would be provided through connection to existing services in North Del Norte Avenue. Domestic water service will be provided through an existing 12-inch line located near Whitesbridge Road and Del Norte Avenue and in Sapphire Avenue. Sewer and water lines will connect to each lot throughout the site. Associated electric, natural gas, and related infrastructure is available and will serve the project site as needed.

Other Department Comments

The project proposal was reviewed by various other City Departments and affected outside agencies. The responses and recommendations have been incorporated into the recommended conditions of approval included in this report. Comments are standard and can be found in **Attachment 'E'**.

Conclusion

As proposed, the project is consistent with the Kerman General Plan and Zoning Ordinance as well as the Subdivision Map Act. Additionally, as conditioned, there is no evidence that suggests approval of the proposed project will be detrimental to the public, health, safety, and welfare of those residing or working nearby. To ensure the continued compatibility of the site with surrounding uses, conditions of approval have been incorporated.

ENVIRONMENTAL REVIEW:

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA) of 1970, the City, as the Lead Agency, has analyzed the proposed project and has prepared an environmental impact report ("EIR") to evaluate the environmental effects of the project. The key components of the requested action are as follows.

Environmental Impact Report

An EIR is a detailed statement prepared under CEQA describing and analyzing the significant environmental effects of a project and discussing ways to mitigate or avoid the effects. The term "EIR" may mean either a draft or a final EIR depending on the context. The Final EIR consists of the Draft EIR plus the Response to Comments document in which the City must address all comments received and propose changes to the Draft EIR if needed.

Response to Comments

Response to Comments ("RTC") is a document that provides responses to comments received on the Draft EIR and revises the Draft EIR, as necessary, in response to those comments or to make clarifications in the Draft EIR. This document, together with the Draft EIR, constitutes the Final EIR for the proposed project. Three (3) comment letters were received, and the letter and responses are contained in the response to comment (RTC), which is provided in the Final EIR (**Attachment 'G'**).

Mitigation Monitoring and Reporting Program

The Mitigation Monitoring and Reporting Program (MMRP) is a document that contains a table with the required mitigation measures, the responsible party or parties for implementing the measure, and the timing of implementation. The MMRP is contained in **Attachment 'G'**.

Findings of Fact and Statement of Overriding Considerations

When an EIR has been certified that identifies one or more significant environmental impacts, the approving agency must make one or more findings, accompanied by a brief explanation of the rationale, pursuant to CEQA Guidelines Section 15091, for each identified significant impact. The Findings of Fact and Statement of Overriding Considerations are contained in **Attachment 'G'**.

Certification of the EIR

The City Council will hold a public hearing to consider the adequacy and completeness of the EIR under CEQA and will make a determination regarding certification of the EIR and adopt the necessary Findings of Fact and Statement of Overriding Considerations by resolution. The resolution is attached in **Attachment 'G'**.

EIR Process/Public Input and Noticing

The City, as the Lead Agency under CEQA, determined that an EIR was required for the proposed project. The firm, Crawford and Bowen, was contracted with by the City to prepare the EIR. The EIR was assigned State Clearinghouse No. 2024031008. The preparation of the EIR followed the process prescribed by CEQA as described below.

Notice of Preparation and Scoping Meeting

Upon the City's determination that an EIR was required for this project, a Notice of Preparation (NOP) was made available to the public and responsible trustee agencies to solicit input on issues of concern that should be addressed in the EIR. The NOP was issued on March 27, 2024, for a 30-day public review period. Two comment letters were received; one letter was from the California Department of Fish and Wildlife and the second was from the California Native American Heritage Commission. Comments were incorporated into the Draft EIR. A scoping meeting was conducted virtually on April 3, 2024. No one attended the scoping meeting.

Draft EIR

The Draft EIR was circulated for a 45-day public review period from September 11, 2024, to October 26, 2024, and was subsequently extended to December 9, 2024, to allow additional time for public/agency comment. The DEIR was circulated through the State Clearinghouse (SCH No. 2024031008), posted on the City's website, and available at City Hall. As of the date of this staff report, three (3) comment letters were received. None of the comments contained new information that revealed any potentially new or more significant environmental impacts that could have required recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

Final EIR/Response to Comments

The Final EIR consists of the Draft EIR plus the Response to Comments document in which the City must address all comments and possibly propose changes to the Draft EIR, if needed. After the close of the public review period for the Draft EIR, the City prepared formal responses to the written comments received. CEQA Guidelines, Section 15088(b), requires the City's responses to comments to be provided to commenting public agencies 10 days prior to final certification of the Final EIR. As noted above, three (3) comment letters were received, and the letters are contained in the Response to Comments, which is provided in the Final EIR.

Statement of Overriding Considerations

As detailed in the EIR, there are some significant and unavoidable impacts associated with this project related to certain components of agricultural resources and hydrology. This is not uncommon with projects of this size. In this regard, CEQA requires decision makers to balance the benefits of the proposed project against its unavoidable environmental risks when determining whether to approve

the project. If the benefits of the project outweigh the unavoidable adverse effects, those effects may be considered "acceptable" (CEQA Guidelines Section 15093[a]).

CEQA requires the lead agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Such reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record (CEQA Guidelines Section 15093[b]). The agency's statement is referred to as a "Statement of Overriding Considerations," which would be recommended as part of the approval of the resolution by City Council.

Tribal Consultation

The City of Kerman sent formal tribal notices for the proposed Project pursuant to AB 52 and SB 18 on February 7, 2024, utilizing the consultation list of tribes received from the Native American Heritage Commission. No consultation was requested.

PLANNING COMMISSION REVIEW:

The Planning Commission held a public hearing to consider the project at a special meeting on December 16, 2024. One member of the public addressed the Commission on this item. Comments were related to trail use by motorized vehicles, the extension of the proposed trail to Harvest, impacts to parks and recreational facilities, sunlight concerns for two-story residential buildings, and compactor vibrations related to removal of the existing orchards.

On a 3-0 vote, the Planning Commission adopted Resolution No. 24-26 (GPA 2023-03 and ENV 2023-08), Resolution No. 24-27 (REZ 2023-04), Resolution No. 24-28 (TSM 2023-04), and Resolution No. 24-29 (ANX 2023-04), recommending that the City Council approve GPA 2023-03, REZ 2023-04, and TSM 2023-04, initiative ANX 2023-04, and certify the EIR. The Planning Commission Resolutions are provided in **Attachment 'F'**.

Following the Planning Commission hearing, City staff are also recommending refinement of item C(2)(f) of the Conditions of Approval (TSM 2023-04) to better integrate with the more specific conditions recommended by the Planning Commission. The Conditions of Approval are contained in **Attachment 'I'**.

PUBLIC HEARING NOTICE:

In accordance with KMC Chapter 17.116, Public Notices and Hearings, public hearing notices were mailed to property owners and residents within 500 feet of the site and published in *The Kerman News* at least 10 days before the hearing.

CITY COUNCIL FINDINGS:

<u>General Plan Amendment 2023-03</u>

To approve the proposed General Plan Amendment 2023-03, the City Council must make the following findings pursuant to KMC Chapter 17.112 Amendments and Rezones.

1. The change is consistent with the General Plan goals and policies.

2. The change is consistent with the purpose of the Zoning Ordinance to preserve and promote the public health, safety and welfare of the city and to facilitate growth and expansion of the city in a precise and orderly manner.

3. There will not be significant effects upon the quality of the environment and natural resources.

Findings regarding each of these items are set forth in the proposed Resolution (**Attachment 'G'**).

Rezone 2023-04

To approve the proposed Rezone 2023-04, the City Council must make the following findings pursuant to KMC Chapter 17.112 Amendments and Rezones.

1. The change is consistent with the General Plan.

2. The change is consistent with the purpose of the Zoning Ordinance to promote the health, safety, and welfare of the community.

3. There will not be significant effects upon the quality of the environment and natural resources.

Findings regarding each of these items are set forth in the proposed Ordinance (**Attachment 'H'**).

Tentative Subdivision Map 2023-04

To approve the proposed Tentative Subdivision Map 2023-04, the City Council must determine that the proposed map is consistent with the General Plan, Zoning Ordinance, and the Subdivision Map Act subject to the following consistency findings:

1. The proposed map is consistent with the applicable General Plan, Subdivision Ordinance, Specific Plan, and the Subdivision Map Act.

2. The design or improvement of the proposed land division is consistent with applicable general plan and specific plans.

3. That the site is physically suitable for the proposed type of development.

4. That the site is physically suitable for the proposed density of development.

5. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife, or their habitat.

6. The design of the subdivision and the type of improvements being required are not likely to cause serious public health problems.

7. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

8. That the proposed design provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision pursuant to Government Code Section 66473.1.

Findings regarding each of these items are set forth in the proposed Resolution (**Attachment 'I'**).

Annexation 2023-04

To initiate the proposed Annexation 2023-04, the City Council must make the following findings pursuant to the City/County Second Amended and Restated MOU standards for annexation:

1. The proposed annexation is within the City's adopted Sphere of Influence.

2. The proposal is consistent with City general and specific plans, including adopted goals and policies**.**

3. Pursuant to CEQA, the proposal mitigates any significant adverse effect on continuing agricultural operations on adjacent properties, to the extent reasonable and consistent with the applicable general and specific plan.

4. At least 25% of the area proposed for annexation has an approved tentative subdivision map(s) (single-family residential) and an approved site plan (for uses besides single-family).

5. The annexation is to fulfill the City's Regional Housing Needs Allocation (RHNA) obligation which otherwise cannot be accommodated on lands currently within the City's incorporated boundary.

6. The proposal would not create islands. Boundaries must ultimately minimize creation of peninsulas and corridors, or other distortion of boundaries.

Findings regarding each of these items are set forth in the proposed Resolution (**Attachment 'J'**).

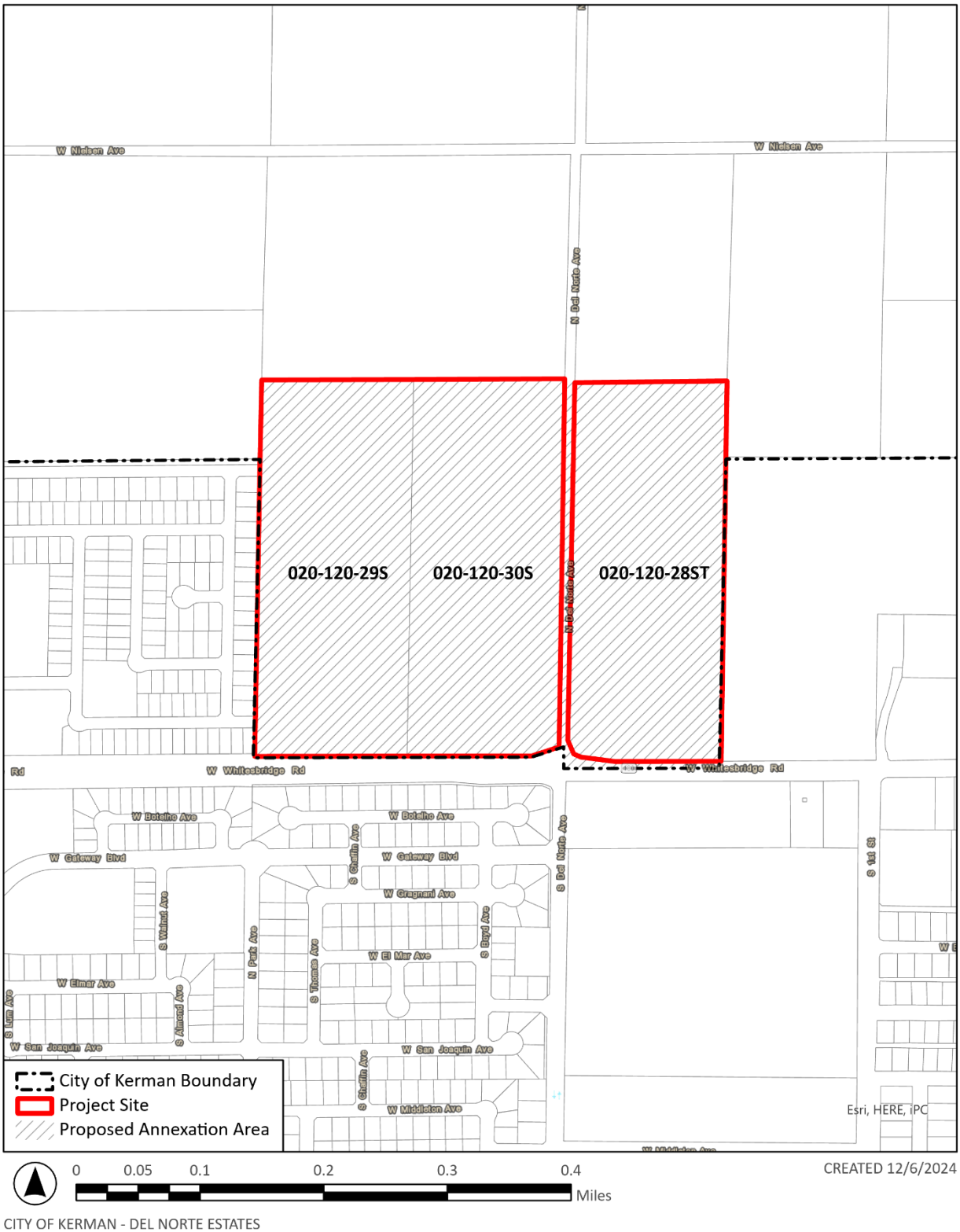
ATTACHMENTS:

A. Attachment A – Project Vicinity Map
B. Attachment B – Aerial Map of the Project Site
C. Attachment C – General Plan Land Use Designation Map (Existing) for Project Site
D. Attachment D – Zoning District Map (Existing) for Project site
E. Attachment E – Other Agency/Department Comments

F. Attachment F – Planning Commission Resolutions
G. Attachment G – Resolution Re General Plan Amendment 2023-03 and Environmental Assessment 2023-08
    1. Exhibit 1 – General Plan Amendment 2023-03
    2. Exhibit 2 – Environmental Assessment 2023-08
    3. Exhibit 3 – Mitigation Monitoring and Reporting Program
    4. Exhibit 4 – Statement of Overriding Considerations and Findings of Fact
H. Attachment H – Ordinance Re Rezone 2023-04
    1. Exhibit 1 – Rezone 2023-04
I. Attachment I – Resolution Re Tentative Subdivision Map 2023-04
    1. Exhibit 1 – Tentative Subdivision Map 2023-04
    2. Exhibit 2 – Conditions of Approval for Tentative Subdivision Map 2023-04
J. Attachment J – Resolution Initiating Annexation 2023-04
    1. Exhibit 1 – Annexation 2023-04

Attachment ‘A’

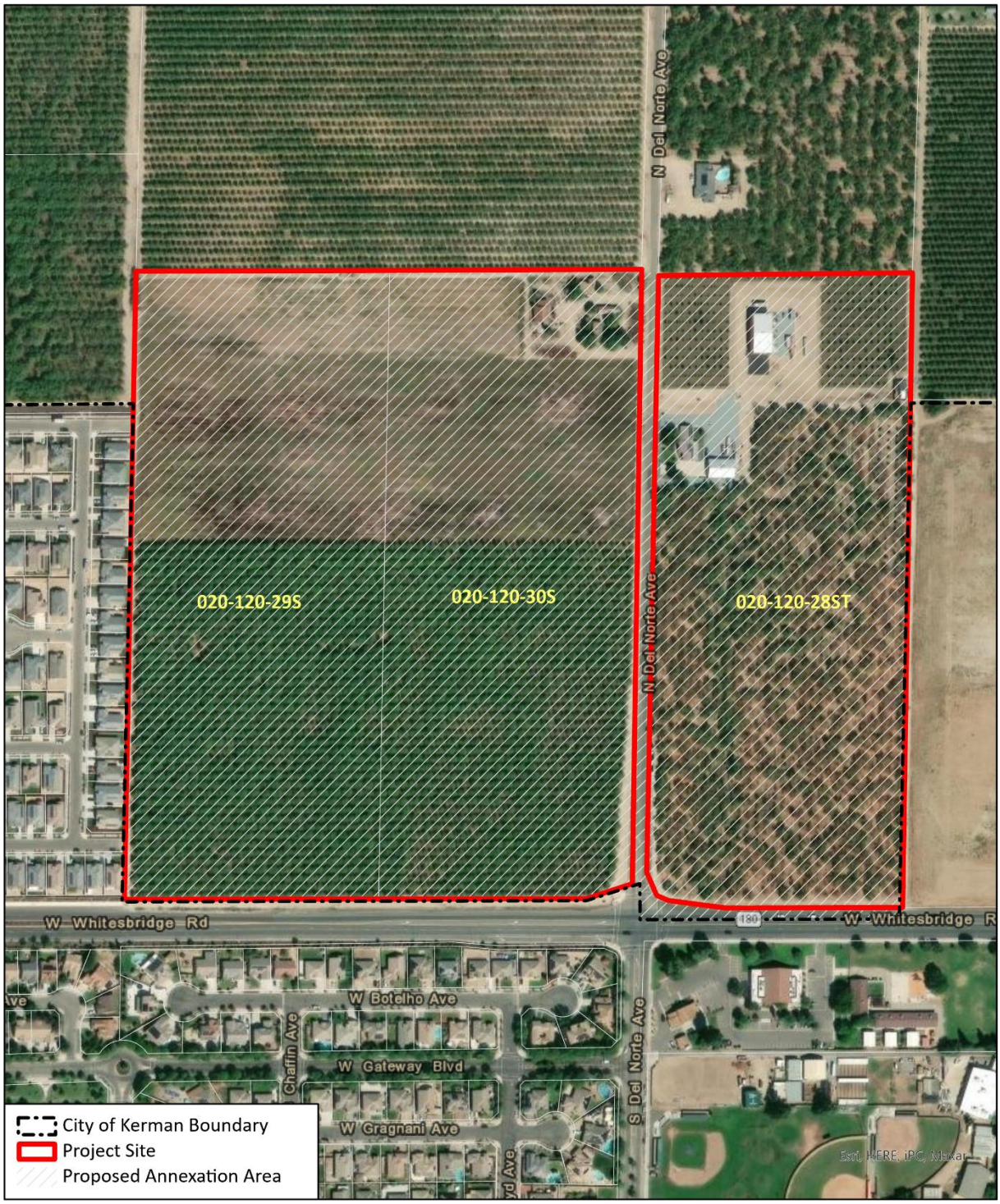
Project Vicinity Map



CITY OF KERMAN - DEL NORTE ESTATES

Attachment ‘B’

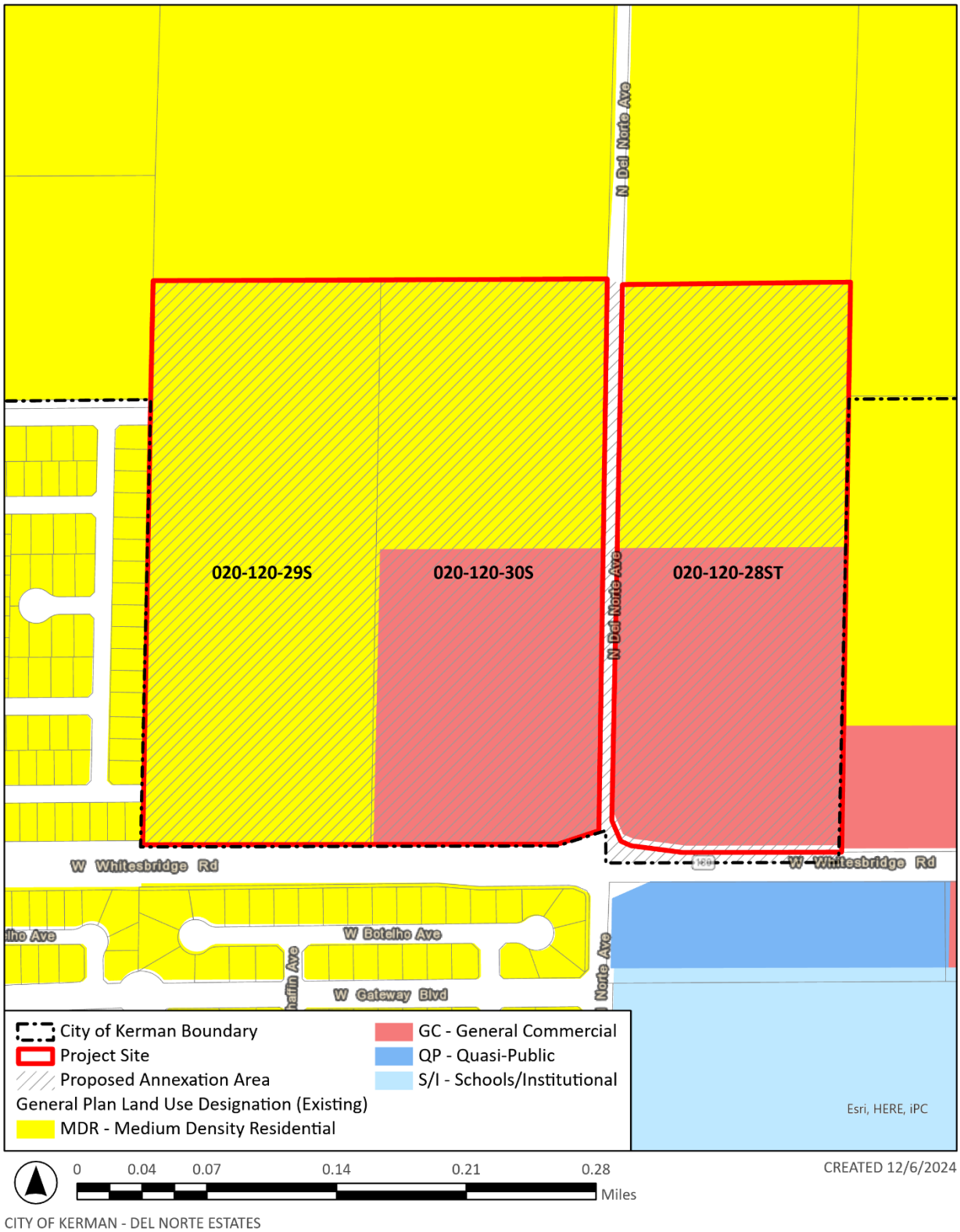
Aerial Map of Project Site



CITY OF KERMAN - DEL NORTE ESTATES

Attachment ‘C‘

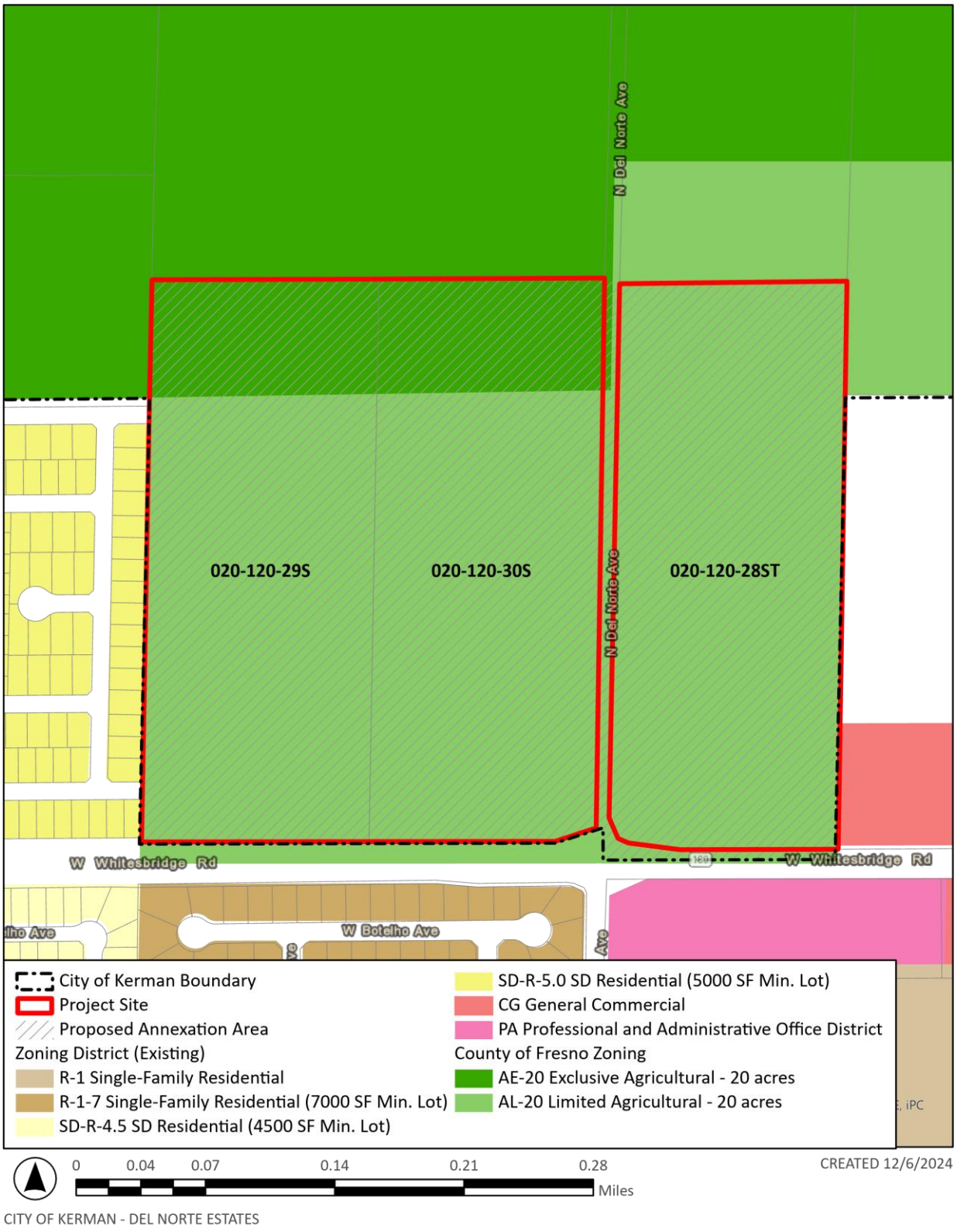
General Plan Land Use Designation Map (Existing) for Project Site



CITY OF KERMAN - DEL NORTE ESTATES

Attachment ‘D’

Zoning District Map (Existing) for Project Site



CITY OF KERMAN - DEL NORTE ESTATES

Attachment ‘E’

Other Agency/Department Comments

Manuel Campos

From: Michael Barajas
Sent: Friday, March 1, 2024 7:59 AM
To: Manuel Campos
Subject: RE: City of Kerman Project Distribution - Del Norte Estates

Manuel,

No comments from Public Works.

Michael Barajas | Public Works Director
City of Kerman | Public Works Department
c. (559) 681-1075 | p. (559) 846-9343 | f. (559) 846-7488
15201 W. California Ave. Kerman, CA. 93630
mbarajas@cityofkerman.org
www.cityofkerman.net

From: Manuel Campos
Sent: Wednesday, February 21, 2024 4:22 PM
To: Theresa Johnson <tjohnson@cityofkerman.org>; Jesus Gonzalez <jesusgonzalez@yhmail.com>; Michael Barajas <MBarajas@cityofkerman.org>; lkimura@fresnoirrigation.com; engr-review@fresnoirrigation.com; Jodi Ward <jward@sebastiancorp.com>; Rhonda Armstrong- Sebastian <RArmstrong@sebastiancorp.com>; kraig.magnussen@kermanusd.com; Jennifer Sagariballa <jennifer.sagariballa@kermanusd.com>; jayfowler@midvalleydisposal.com; jacob.mcafee@northcentralfire.org; CEQA - SJVAPCB-valley air-CEQA permitreview <ceqa@valleyair.org>; Cecilia Belmontes <cecilia.belmontes@kermanusd.com>; Wil Barcoma (FCLE) <Wil.Barcoma@fcle.org>; pgeplanreview@pge.com; bjimenez@fresnocountyca.gov; Spaunhurst, Brian <bspaunhurst@fresnocountyca.gov>; Lara, Juan <jlara@fresnocountyca.gov>; hluna@fresnocounty.gov; Bonique Emerson <bemerson@precisioneng.net>; Jenna Chilingerian <jchilingerian@precisioneng.net>; Jonathon Kutka <jonathon.kutka@northcentralfire.org>; Steve Wilkins (FCLE) <Steve.Wilkins@fcle.org>; Isla, Nicholas@DOT <Nicholas.Isla@dot.ca.gov>; Padilla, Dave@DOT <dave.padilla@dot.ca.gov>; Munique Cubillos (FCLE) <Munique.Cubillos@fcle.org>
Subject: City of Kerman Project Distribution - Del Norte Estates

Dear Stakeholder,

Please find attached a summary of a Development Application for a project referred to as Del Norte Estates located on the northwest corner of W. Whitesbridge Rd. and Del Norte Ave., in Kerman, CA 93630.

Please provide comments or questions on or before **March 21, 2024.**

An Initial Study compliant with CEQA guidelines will be distributed for public review and comments separately.

Stakeholders List

- City of Kerman (internal depts.)
- North Central Fire Prevention District
- Kerman Unified School District
- Mid Valley Disposal
- Fresno Irrigation District
- Fresno County Public Works/Planning

- Fresno LAFCo
- Sebastian Corp
- Caltrans District 6
- SJVAPCD
- PG&E

Respectfully,

Manuel Campos | Assistant Planner
City of Kerman | Community Development Department
p. (559) 846.9384 ext. 316 | f. (559) 846.6199
850 S. Madera Ave. Kerman, CA 93630
mcampos@cityofkerman.org
www.cityofkerman.net

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616
(559) 981-7284 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov

March 8, 2024

FRE-180-42.118
Del Norte Estates Project
GTS #: https://ld-igr-gts.dot.ca.gov/district/6/report/32006

SENT VIA EMAIL

Mr. Manuel Campos, Assistant Planner
City of Kerman
850 S. Madera Avenue
Kerman, CA 93630

Dear Mr. Campos:

Caltrans has completed the review of the application which proposes Tentative Subdivision Map No. 6473 to construct 200 single-family residential units.

The project site is located on the northwest corner of State Route(SR) 180 (West Whitesbridge Avenue) and Del Norte Avenue, in Kerman, CA 93630.

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) process reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. Access to the Tentative Subdivision Map No. 6473 is proposed via Del Norte Avenue. **Access for this subdivision via SR 180 (Whitesbridge Avenue) shall not be permitted.**

2. Two points of access are shown on the tentative tract map for the commercial and high-density residential lots. Street K is proposed to connect to SR 180 (Whitesbridge Avenue) and Street J is proposed to connect to Del Norte Avenue. Caltrans policy is to use existing access safely and minimize the number of new access points to a State highway; **thus, Street K via SR 180 (Whitesbridge Avenue) shall not be permitted.**

3. The Transportation Impact Study (TIS), to be prepared by the developer as a part of a required Draft Environmental Impact Report (DEIR), **should include a safety analysis** as described by the Caltrans Local Development Review (LDR) Safety Review Practitioners Guidance. The TIS scope should be submitted for review to Caltrans prior to the commencement of the study.

4. Right-of-way width and frontage improvements (raised median, lane, shoulder, curb, gutter, sidewalk, roadway lighting, etc.) along this portion of SR 180 should match the roadway configuration directly to the west.

5. Alternative transportation policies should be applied to the development. An assessment of multi-modal facilities should be conducted to develop an integrated multi-modal transportation system to serve and help alleviate traffic congestion caused by the project and related development in this area of the City. The assessment should include the following:

    a. Pedestrian walkways should link this Project to transit facilities, bicycle pathways and other walkways in the surrounding area.

    b. Coordinating connections to local and regional bicycle pathways should be done to encourage further the use of bicycles for commuter and recreational purposes.

    c. Transit service and bus stop accommodations should be extended to within ¼-mile of the Project site.

6. Caltrans **recommends** that the Project implement "smart growth" principles regarding parking solutions, providing alternative transportation choices to residents and employees. Alternative transportation choices may include but are not limited to parking for carpools/vanpools, car-share and/or ride-share programs.

7. Based on Caltrans Vehicle Miles Traveled (VMT)-Focused Transportation Impact Study Guide, dated May 20, 2020, and effective as of July 1, 2020, Caltrans seeks to reduce single occupancy vehicle trips, provide a safe transportation system, reduce per capita VMT, increase accessibility to destinations via cycling, walking, carpooling, transit and reduce greenhouse gas (GHG) emissions. Caltrans recommends that the project proponent continue to work with the City to implement further improvements to reduce VMT and offer a variety of transportation modes for its employees.

If you have any other questions, please call or email: Keyomi Jones, Transportation Planner at (559) 981-7284 or keyomi.jones@dot.ca.gov.

Sincerely,

Mr. Dave Padilla, Branch Chief,
Transportation Planning – North

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616
(559) 981-7284 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov

August 16, 2024

FRE-180-42.118
Del Norte Estates Project
Revised Tentative Subdivision Map
GTS #: https://ld-igr-gts.dot.ca.gov/district/6/report/32006

SENT VIA EMAIL

Mr. Manuel Campos, Assistant Planner
City of Kerman
850 S. Madera Avenue
Kerman, CA 93630

Dear Mr. Campos:

Caltrans has completed the review of the revised Tentative Subdivision Map No. 6473 proposing to construct 200 single-family residential units.

The project site is located on the northwest corner of State Route (SR) 180 (West Whitesbridge Avenue) and Del Norte Avenue, in Kerman, CA 93630.

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) process reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. The subdivision map shows 200 single lot units with a multi-family residential lot, plus four separate commercial lots. Detailed information of the commercial lots (type of business) as well as the multi-family lot (number of units) was not indicated on the map.

   Thus, we are not able to estimate the number of traffic trips generated by the development when it is fully built out. It is anticipated that a project of this magnitude has the potential to generate significant traffic and could have an

impact on State facilities when all lots are fully developed. We are requesting that the Traffic Impact Study (TIS) or Traffic Impact Analysis (TIA) be prepared to evaluate the impact of the development. Please note that this was requested in the previous March 8, 2024 comment letter.

2. The TIS or TIA, to be prepared by the developer as a part of a required Draft Environmental Impact Report (DEIR) should include a safety analysis as described by the Caltrans Local Development Review (LDR) Safety Review Practitioners Guidance. The TIS scope should be submitted for review to Caltrans prior to the commencement of the study.

3. The resubmitted tentative subdivision map showed three points of access on State Route (SR) 180. Caltrans requests the western and the eastern driveway accesses be removed. The proposed driveway access on SR 180 between the proposed multi-family lot and the commercial lots may be shared. Additionally, we request that safety and operational analysis or evaluation be conducted for this proposed access driveway, especial for uncontrol left-turn movement onto the driveway. As a minimum, a queue analysis should be evaluated for the proposed turn lanes to ensure that no vehicular queue spills out from the proposed turn lane to the through lane.

4. Please be advised that this segment of SR 180, from west of Siskiyou Avenue to SR 145, will be a four-lane divided highway when development on both sides of SR 180 is built out in the near future. Thus, partial access control is needed for future four-lane expressway. We request that the raised median be installed to connect with the existing raised median on the south side of this development.

5. Right-of-way width and frontage improvements (raised median, lane, shoulder, curb, gutter, sidewalk, roadway lighting, etc.) along this portion of State Route 180 should match the roadway configuration directly to the west.

If you have any other questions, please call or email: Keyomi Jones, Transportation Planner at (559) 981-7284 or keyomi.jones@dot.ca.gov.

Sincerely,

Mr. Dave Padilla, Branch Chief,
Transportation Planning – North

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616
(559) 981-7284 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov

October 29, 2024

FRE-180-42.118
Del Norte Estates Project
Traffic Impact Study (TIS)
GTS #: https://ld-igr-gts.dot.ca.gov/district/6/report/32006

SENT VIA EMAIL

Mr. Manuel Campos, Assistant Planner
City of Kerman
850 S. Madera Avenue
Kerman, CA 93630

Dear Mr. Campos:

Caltrans has completed the review of the Traffic Impact Study (TIS) for revised Tentative Subdivision Map No. 6473 proposing to construct 200 single-family residential units.

The project site is located on the northwest corner of State Route (SR) 180 (West Whitesbridge Avenue) and Del Norte Avenue, in Kerman, CA 93630.

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) process reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

It is recommended that the scope of the traffic study include the State Route 180 / project entrance intersection. Left-turn vehicle movements from the project entrance would be prohibited.

If you have any other questions, please call or email: Keyomi Jones, Associate Transportation Planner at (559) 981-7284 or keyomi.jones@dot.ca.gov.

Sincerely,



Mr. Dave Padilla, Branch Chief,
Transportation Planning – North

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE |P.O. BOX 12616 |FRESNO, CA 93778-2616
(559) 981-7284 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov

November 25, 2024

FRE-180-42.118
Del Norte Estates Project
Revised Traffic Impact Study (TIS)
GTS #: https://ld-igr-gts.dot.ca.gov/district/6/report/32006

SENT VIA EMAIL

Mr. Manuel Campos, Assistant Planner
City of Kerman
850 S. Madera Avenue
Kerman, CA 93630

Dear Mr. Campos:

Caltrans has completed the review of the revised Traffic Impact Study (TIS) dated November 2024, for revised Tentative Subdivision Map No. 6473 proposing to construct 200 single-family residential units. The revised TIS includes the eastbound

The project site is located on the northwest corner of State Route (SR) 180 (West Whitesbridge Avenue) and Del Norte Avenue, in Kerman, CA 93630.

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) process reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

We have completed its review of the updated Traffic Impact Study (TIS) for the Del Norte Mixed-Use Facility. Based on our assessment:

- The proposed eastbound SR 180 left-turn lane lengths for Del Norte Avenue and the new development access should be a minimum of 485 feet. This length accounts for a 50-mph deceleration distance and two-vehicle storage, as outlined in **Figure 405.2A** of the *Caltrans Highway Design Manual*.
- A bay taper of 120 feet is recommended to complement these lane lengths.
- The Queue Length Analysis in the TIS should include left-turn data for each of these intersections to ensure accurate representation and planning.

Please incorporate these adjustments into the study.

If you have any other questions, please call or email: Keyomi Jones, Associate Transportation Planner at (559) 981-7284 or keyomi.jones@dot.ca.gov.

Sincerely,

Mr. Dave Padilla, Branch Chief,
Transportation Planning – North

C: Mike Sanchez, AICP, MCRP, Planning Consultant

County of Fresno
DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

March 13, 2024

SUBJECT: Del Norte Estates- City of Kerman

Dear Mr. Campos:

The County of Fresno appreciates the opportunity to review and comment on the subject project being reviewed by the City of Kerman.

The documents received for this review were circulated to our various Fresno County Public Works and Planning divisions. See comments below.

Fresno County Transportation Division:

- A Vehicle Miles Traveled (VMT) analysis should also be prepared for the proposed development.

Fresno County Road Maintenance and Operations Division:

- The City of Kerman should annex the full road right-of-way width for Del Norte Ave along the subject parcels.
- Any road improvements on Del Norte Ave within the proposed annexation limits shall provide adequate transitions to tie into County maintained roads north of the subject parcels.
- A traffic impact study (TIS) shall be required to determine the impact to nearby County maintained roads. The TIS should evaluate road condition and geometry to adequacy to accommodate anticipated increases in traffic due to the new residential and commercial development.

If you have any questions regarding the information described in this letter, please contact me at eracusin@FresnoCountyCA.gov or (559) 600-4245.

Sincerely,

Elliot Racusin

Elliot Racusin, Planner
Development Services and Capital Projects Division

DR:er:cwm
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Fresno Local Agency Formation Commission

April 10, 2024

Manuel Campos
Assistant Planner
City of Kerman

Dear Mr. Manuel Campos:

Subject: Comments Regarding Concurrent Applications: Annexation (ANX 2023-04), Pre-zone (REZ 2023-04), Tentative Subdivision Map (TSM 2023-04), General Plan Amendment (GPA 2023-03), and CEQA (ENV 2023-08).

Thank you for the opportunity to comment on this project. From the material provided to this office, my understanding of the project description is as follows:

- **Annexation (ANX 2023-04)** is a request to approve the annexation of approximately 53.25 acres. The annexation includes APN's: 020-120-29S, 020-140-30S, and 020-120-28S but development is only being proposed for APNs: 020-120-29S and 020-140-30S. This annexation request is consistent with the 2040 General Plan goals and policies (LU-3) and the City/County MOU agreed to and entered into in 2021;
- **Pre-zone (REZ 2023-04)** pertains to the pre-zoning of the proposed project. Currently both parcels in this project have County zonings of Limited Agricultural (AL-20). The project will amend the County zoning to the City of Kerman zoning districts of Smart Development Residential (SDR-3.5), Multi-Family Residential (R-3), and General Commercial (CG);
- **General Plan Amendment (GPA 2023-03)** pertains to changing the land use designation of the project site for General Commercial, High-density Residential land use, and Medium-density Residential. The General Plan Amendment will be processed concurrently with the Pre-zone and Annexation process;
- **CEQA (ENV 2023-08)** pertains to an initial study and a technical study/analysis being prepared for the project consistent with CEQA guidelines; and
- **Tentative Subdivision Map (TSM 2023-04)** pertains to the subdivision of land and proposed network of local streets and sidewalks exhibited in Attachments A. The proposed project will include a tentative subdivision map encompassing 200 single-family residential units.

The Fresno Local Agency Formation Commission (LAFCo) regulates, through approval or denial, the boundary changes proposed by local agencies or individuals. LAFCo's objectives are to:

- Encourage orderly formation and development of agencies;
- Encourage consistency with spheres of influence and recommended reorganization of agencies;
- Encourage orderly urban development and preservation of open space patterns;
- Encourage conservation of prime agricultural lands and open space areas; and
- Identify and address disadvantaged unincorporated communities.

LAFCo should be identified in the city's environmental document as a Responsible Agency under

CEQA whose role is to consider reorganizations and spheres of influence. Commission action on the reorganization request should be noted in the environmental document. As a Responsible Agency, the Commission is required to review and consider the city's environmental documents prior to taking its action. A Responsible Agency complies with CEQA by considering the environmental analysis prepared by the Lead Agency and by reaching its own conclusions on whether to and how to approve the project. The Commission may then make a finding that it independently reviewed and considered the information in the environmental document and that the environmental document is sufficient to support a determination on the proposed reorganization.

Project-Specific Comments

The city will be required to submit the appropriate application materials including fees to LAFCo for reorganization. These materials are enumerated on our website (www.fresnolafco.org) through the "Applications and Documents" tab under "Items Necessary for a Complete Application."

The fee schedule for changes of organization/reorganization (annexation) of 41-80 acres is $12,000.

The city may send notice 56654(c) to the interested and affected agencies if the annexation is 100 percent uninhabited to reduce the project timeline.

If the proposal results in the annexation of land that is subject to a contract executed pursuant to the Williamson Act (Chapter 7, commencing with Section 51200 of Division 1), then the petition and/or resolution for reorganization request shall state whether the city shall succeed to the contract pursuant to Section 51243 or whether the city intends to exercise its option to not succeed to the contract pursuant to Section 51243.5.

Annexation of full rights of way contiguous to parcel boundaries should be presumed in the reorganization's legal description and map.

LAFCo is available to attend any community outreach meetings should the need arise.

Thank you for the opportunity to provide comments. If you have any questions, please contact me at (559) 600-0604.

Sincerely,

Joel Matias
LAFCo Intern

2907 S. Maple Avenue
Fresno, California 93725-2208
Telephone: (559) 233-7161
Fax: (559) 233-8227

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

March 22, 2024

Jesus Orozco
City of Kerman
Planning & Development Department
850 S. Madera Avenue
Kerman, CA 93630

RE: Tentative Subdivision Map Application No. TSM 2023-02
N/W Whitesbridge (SR180) and Del Norte avenues

Dear Mr. Orozco:

The Fresno Irrigation District (FID) has reviewed the proposed Development Application for Del Norte Estates Project located northwest of Whitesbridge and Del Norte avenues proposing to develop 53.25-acres into Commercial, High-Density Residential, and Medium-Density Residential, APNs: 020-120-28S, 29S, and 020-140-30S. This is being reviewed concurrently with Annexation Application No. ANX 2023-04, General Plan Amendment GPA 2023-03, Pre-zone Application No. REZ 2023-04, and CEQA Application No. ENV 2023-08. FID has the following comments:

1. FID does not own, operate or maintain any facilities located on the subject property, as shown on the attached FID exhibit map.

2. FID has a pipeline adjacent to the subject , as shown on the attached FID exhibit map. The facility includes FID's Siskiyou No. 146. FID will impose the same conditions on this project as it would with any other project located within the common boundary of the City of Kerman and FID.

3. The City of Kerman has a Surface Water supply agreement with FID, entered into on June 7, 2022. Most of the proposed area is within the sphere of influence at the time of execution of the agreement and is included in the area allocated the water supply.

Area of Concern

1. FID's Siskiyou Lateral No.146 runs southwesterly, traversing the northwestern portion of the subject property, approximately 10 feet west of the subject property, and crosses Whitesbridge Avenue (SR180) approximately 1,200 feet west of the subject property, property as shown on the attached FID exhibit map, and may be impacted by the proposed development. FID records indicate a 30 feet easement recorded on March 15, 1984, as Document. No. 84025513 Official Records of Fresno County.

BOARD OF DIRECTORS President RYAN JACOBSEN Vice-President JERRY PRIETO, JR. CHRISTOPHER WOOL
GEORGE PORTER GREGORY BEBERIAN General Manager BILL STRETCH

2. FID's records indicate this section of the Siskiyou Lateral pipeline was installed in 1984 (40 years old) as a 48-inch inside diameter Cast-in-Place Monolithic Concrete Pipe (CIP-MCP). CIP-MCP is non reinforced monolithic pipe that is easily damaged, extremely prone to leakage and does not meet FID's minimum standards for developed (residential, industrial, commercial) parcels or urban areas.

3. FID requests the applicant grant a 10 feet wide exclusive easement, where FID only has an existing 30 feet-wide exclusive easement, such that FID has a total of 40 feet-wide exclusive easement to meet current FID standards.

4. This pipeline was installed without a product known as MacWrap, which is a root barrier. In recent years, the most significant issue with pipelines has been caused by tree root intrusion into pipe joints. The roots enter through the rubber gasket joint, thus creating. a non-watertight joint causing leaks. If the roots continue to grow, the roots will eventually clog the pipe and reduce the flow capacity of the pipeline. This problem causes disruption to FID's customers and increases the risk of flooding in upstream open channel sections. Subsequent pipeline repairs can be very disruptive to public infrastructure, as well as to FID's operations. The leaking pipelines and pipeline repairs also increase the liability of all parties involved. All trees will need to be located a minimum of 15 feet from the outside edge of the pipeline to limit possible disruptions or FID will require external wrap be installed at all pipeline joints within the subject property or any areas where root intrusion may be a future concern based on the proposed improvement at the time of review. This method involves using mastic material that can be externally applied to pipe joints to provide a permanent seal against root intrusion. The product that has been approved is known as MacWrap from Mar Mac. FID is open to other products, but they would need to be reviewed and approved by FID.

5. FID requires the applicant and/or the applicant's engineer meet with FID at their earliest convenience to discuss specific requirements, e.g. easement width and alignment, right-of-way width and alignment, pipeline alignment, depth and size, fees, etc.

6. FID requires all exposed facilities (standpipes, air vents, covers, etc.) within the subject property or directly adjacent to the subject property must be adapted with additional features in order to transition from a rural setting to an urban setting, to mitigate for the effects of new development and increased population, and provide for public safety within FID's property/easement and the development.

General Comments

1. FID requires its review and approval of all improvement plans which affect its property/easements and canal/pipeline facilities including but not limited to Sewer, Water, Storm drain, Street, Landscaping, Dry Utilities, and all other utilities.

2. FID requires the Applicant/Developer to submit for FID's approval a grading and drainage plan which shows that the proposed development will not endanger the structural integrity of the Pipeline or result in drainage patterns that could adversely affect FID.

3. All existing trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures must be removed within FID's

property/easement and the development project limits.

4. FID does not allow FID owned property or easements to be in common use with public utility and/or road easements and right-of-ways but will in certain instances allow for its property to be in common use with landscape easements if the City of Kerman enters into the appropriate agreement.

5. FID requires its easements be shown on all maps/plans with proper recording information, and that FID be made a party to signing all final maps/plans.

6. Footings of retaining walls shall not encroach onto FID property/easement areas.

7. Trees will not be permitted within FID's property/easement areas.

8. FID requires its easements be shown on all plans with proper recording information.

9. No large earthmoving equipment (paddle wheel scrapers, graders, excavators, etc.) will be allowed within FID's easement and the grading contractor will be responsible for the repair of all damage to the pipeline caused by contractor's grading activities.

10. FID is concerned about the potential vibrations caused by construction efforts near existing District facilities as it may cause damage to FID's canals, pipelines and culverts. The developer and contractor(s) must keep all large equipment, construction material, and soil stockpile outside of FID's easement and a minimum of 30 feet away from existing cast-in-place concrete pipe. The developer and/or its contractor(s) will be responsible for all damages caused by construction activities.

11. For informational purposes, Houghton West No. 94 runs westerly along the north side of Nielsen Avenue crosses Madera Avenue(SR145) 2,300 feet northeast of the subject property, crosses Del Norte Avenue approximately 1,000 feet north of the subject property, and crosses Siskiyou Avenue approximately 1,600 feet northwest of the subject property as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements along Nielsen Avenue, Madera Avenue (SR145), Del Norte Avenue, Siskiyou Avenue, or in the vicinity of this canal, FID requires it review and approve all plans.

12. For informational purposes, FID's Whitmore runs southwesterly approximately 2,200 feet northeast of the subject property, as shown on the attached FID exhibit map. Should this project include any street and/or utility improvements in the vicinity of this pipeline, FID requires it review and approve all plans.

13. For informational purposes, a private facility known as the Whitmore no. 346 runs southwesterly and crosses Madera Avenue (SR145) approximately 2,100 feet northeast of the subject property as shown on the attached FID exhibit map. FID's records indicate this this line is active and shall need to be treated as such. FID can supply the City with a list of known users upon request.

14. FID is concerned that the proposed development may negatively impact local groundwater supplies. The area was historically agricultural land and a significant portion

of its water supply was imported surface water, supplemented by groundwater pumping. Under current circumstances the project area is experiencing a modest but continuing groundwater overdraft. Should the proposed development result in a conversion from imported surface water to groundwater, this deficit will increase. FID recommends the City of Kerman require the proposed development balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem.

15. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. FID and the City of Kerman are members of the North Kings Groundwater Sustainability Agency which will manage the groundwater basin within the FID service area. This area is completely reliant on groundwater pumping and SGMA will impact all users of groundwater and those who rely on it. The City of Kerman should consider the impacts of the development on the City's ability to comply with requirements of SGMA.

16. As with most developer projects, there will be considerable time and effort required of FID's staff to plan, coordinate, engineer, review plans, prepare agreements, and inspect the project. FID's cost for associated plan review will vary and will be determined at the time of the plan review.

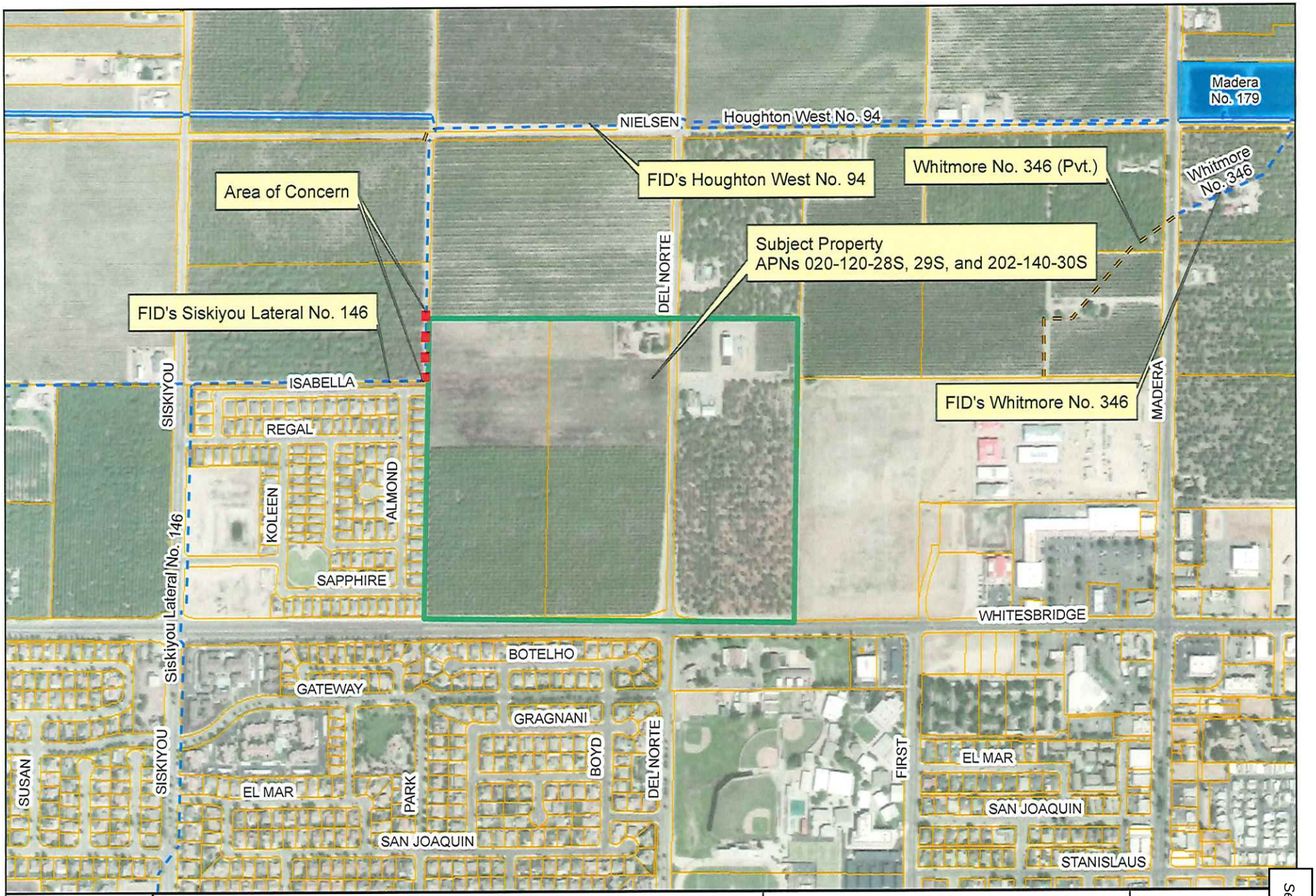
17. The above comments are not to be construed as the only requests FID will have regarding this project. FID will make necessary additional comments and requests as the project progresses.

Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed project. If you have any questions, please feel free to contact Jeremy Landrith at (559) 233-7161 extension 7407 or jlandrith@fresnoirrigation.com.

Sincerely,

Laurence Kimura, P.E.
Chief Engineer

Attachment



FRESNO IRRIGATION DISTRICT

Legend

- FID Canal
- Private Canal
- Abandoned Canal
- FID Pipeline
- Private Pipeline
- Abandoned Pipeline
- Stream Group
- Other-Creek\River
- Other-Pipeline
- FID Boundary
- Railroad
- Streets & Hwys
- Parcel
- FMFCD Acquired Basins
- FMFCD Proposed Basins

This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 233-7161 for further information on FID facilities.

Path: G:\Fidgis\20240220 FID Master.mxd
Spatial Reference
Name: NAD 1983 StatePlane California IV FIPS 0404

0 330 6
Feet
1 inch = 666.46 feet

Section 7, Item A.

Jeremy Landrith

From: Manuel Campos <mcampos@cityofkerman.org>
Sent: Wednesday, February 21, 2024 4:22 PM
To: Theresa Johnson; Jesus Gonzalez; Michael Barajas; Laurence Kimura; Engineering Review; Jodi Ward; Rhonda Armstrong- Sebastian; kraig.magnussen@kermanusd.com; Jennifer Sagariballa; jayfowler@midvalleydisposal.com; jacob.mcafee@northcentralfire.org; CEQA - SJVAPCB-valley air-CEQA permitreview; Cecilia Belmontes; Wil Barcoma (FCLE); pgeplanreview@pge.com; bjimenez@fresnocountyca.gov; Spaunhurst, Brian; Lara, Juan; hluna@fresnocounty.gov; Bonique Emerson; Jenna Chilingerian; Jonathon Kutka; Steve Wilkins (FCLE); Isla, Nicholas@DOT; Padilla, Dave@DOT; Munique Cubillos (FCLE)
Subject: City of Kerman Project Distribution - Del Norte Estates
Attachments: Del Norte Estates - Comment Letter.pdf; Del Norte Estates - Attachment A.PDF

Some people who received this message don't often get email from mcampos@cityofkerman.org. Learn why this is important

Dear Stakeholder,

Please find attached a summary of a Development Application for a project referred to as Del Norte Estates located on the northwest corner of W. Whitesbridge Rd. and Del Norte Ave., in Kerman, CA 93630.

Please provide comments or questions on or before **March 21, 2024.**

An Initial Study compliant with CEQA guidelines will be distributed for public review and comments separately.

Stakeholders List

- City of Kerman (internal depts.)
- North Central Fire Prevention District
- Kerman Unified School District
- Mid Valley Disposal
- Fresno Irrigation District
- Fresno County Public Works/Planning
- Fresno LAFCo
- Sebastian Corp
- Caltrans District 6
- SJVAPCD
- PG&E

Respectfully,

Manuel Campos | Assistant Planner
City of Kerman | Community Development Department
p. (559) 846.9384 ext. 316 | f. (559) 846.6199
850 S. Madera Ave. Kerman, CA 93630
mcampos@cityofkerman.org
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City of Kerman
Community Development Department
Building · Engineering · Planning · Code Compliance & Enforcement

850 S. Madera Avenue, Kerman, CA 93630
Office: (559) 846-9386 Fax: (559) 846-9348
www.cityofkerman.net

February 21, 2024

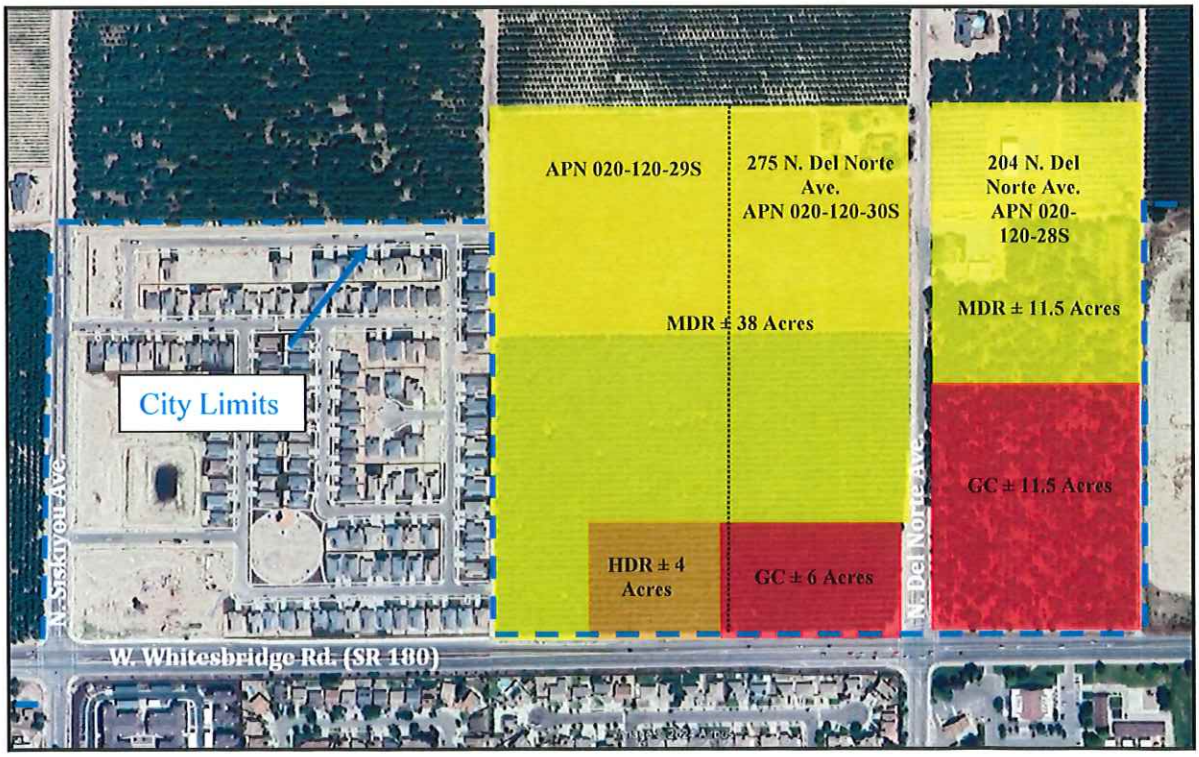
RE: Project Distribution and Request for Comments for a Development Application related to the development of a project referred to as the Del Norte Estates Project

Dear Stakeholder:

Please accept this project distribution as a formal invitation to provide comments related to a project proposal referred to as Del Norte Estates located on the northwest corner of West Whitesbridge Road and Del Norte Avenue., in Kerman, CA 93630. Below are details of the project proposal.

A. **Site Information**

Site Address	275 N. Del Norte Ave. and 204 N. Del Norte Ave.
APN	020-120-29S, 020-140-30S, and 020-120-28S
Size	53.25 acres (gross)
General Plan Land Use Designation	Medium-density residential (MDR), High-density Residential (HDR), and General Commercial (GC)
Zone District	AL-20 – Limited Agricultural (Fresno County)



B. Annexation (ANX 2023-04)

Annexation of APNs: 020-120-29S, 020-140-30S (275 N. Del Norte Ave.), and 020-120-28S (204 N. Del Norte Ave.) encompassing approximately 53.25 acres is being considered. Development is only being proposed for APNs: 020-120-29S and 020-140-30S. This annexation request is consistent with the 2040 General Plan goals and policies (LU-3), and the City/County MOU agreed to and entered into in 2021. Development of the project entails the review and processing of entitlements listed C through F below.

C. General Plan Amendment (GPA 2023-03)

The proposed General Plan Amendment is to change the land use designation of the subject project site from 15.0 acres of existing General Commercial land use to 6.0 acres of General Commercial land use and 4.0 acres of High-density Residential land use (as seen on page 1). The amount of existing Medium-density Residential land use will increase by 3 acres from 35 acres to 38 acres.

D. Pre-zone (REZ 2023-04)

The proposed pre-zoning will be consistent with the amended underlying General Plan land use designations. Currently, both parcels have an AL20 – Limited Agricultural County zoning. Rez 2023-04 is a proposal to amend the current zoning from Fresno County agricultural zoning (AL-20) to the following City of Kerman zone districts: 38 acres of Smart Development Residential (SD-R-5.0), 4.0 acres of Multi-family Residential (R-3), and 6.0 acres of General Commercial (CG). These zone districts are consistent with the proposed General Plan land use designations listed above.

E. Tentative Subdivision Map (TSM 2023-04)

A tentative subdivision map encompassing 200 single-family residential units will be considered. Access to the site will be via N. Del Norte Ave. and N. Siskiyou Ave. Interior streets will be developed to current City standards to be publically maintained. *See Attachment 'A'*

F. CEQA (ENV 2023-08)

The project will require an Environmental Impact Report (EIR) to comply with the California Environmental Quality Act (CEQA). Based on a preliminary assessment of the project site, the project description, and cross-referencing similar projects, the scope of the work has been compiled and included herein. It is summarized as follows:

- ☐ Notice of Preparation / Initial Study
- ☐ Administrative Draft EIR

- ☐ Draft EIR
    - Technical Studies to support the EIR
        - Air Quality / Greenhouse Gas Analysis
        - Biological Resources Report
        - Cultural Resources Study
        - Traffic Impact Study
        - Agricultural Conversion Study
        - Noise Assessment
- ☐ Final EIR / Mitigation and Monitoring Program
- ☐ Findings of Fact / Statement of Overriding Considerations
- ☐ A Williamson Act contract cancellation will be considered by the County of Fresno before any City action is taken on the items listed A through E.

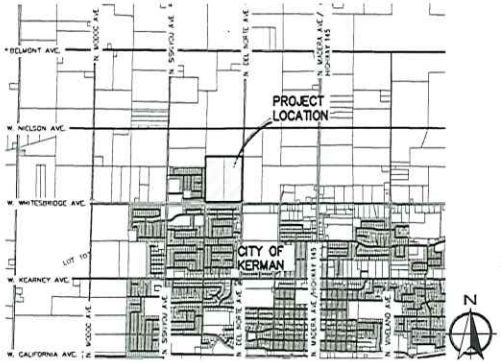
Your cooperation in this matter is greatly appreciated. Should you have any questions, please feel free to contact me at (559) 846-9384 ext. 316 or email me at mcampos@cityofkerman.org.

Sincerely,

Manuel Campos
Assistant Planner

TENTATIVE TRACT MAP NO. 6473

IN THE UNINCORPORATED AREA OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA
SURVEYED & PLATTED IN NOVEMBER 2023
BY GATEWAY ENGINEERING, INC.



VICINITY MAP:
1" = 2000'

OWNER:
ROBERT J. COUTO & CYNTHIA D. COUTO
336 N. DEL NORTE AVE.
KERMAN, CA 93630

APPLICANT/DEVELOPER:
THE HOLLAND GROUP
P.O. BOX 27360
FRESNO, CA 93729

ENGINEER/SURVEYOR:
GATEWAY ENGINEERING, INC.
405 PARK CREEK DRIVE
CLOVIS, CA 93611

FLOOD HAZARD ZONE:
AS DELINEATED ON THE FEDERAL INSURANCE ADMINISTRATION'S FLOOD INSURANCE RATE MAP NO. 06019C2075H, EFFECTIVE DATE 2/18/2009, CITY OF KERMAN, CALIFORNIA, FRESNO COUNTY, THE PROPERTY SHOWN ON THIS MAP LIES WITHIN THE FLOOD HAZARD AREA DESIGNATED AS ZONE X, AREAS IN ZONE X ARE DETERMINED TO BE AREAS OF 0.2% ANNUAL CHANCE FLOOD HAZARD.

SITE NOTES:

1. APN: 020-120-29S & 30S
2. ADDRESS: NO SITE ADDRESS (NORTHWEST CORNER OF SR-180 & N. DEL NORTE AVE.
3. GROSS AREA: ±2,091,331 SQ. FT. (±48.01 ACRES)
4. NET AREA: ±2,091,331 SQ. FT. (±48.01 ACRES)
5. EXISTING ZONING: AL20 (AGRICULTURE EXCLUSIVE)
6. PROPOSED ZONING: SD-R-5.0 (SMART DEVELOPMENT DISTRICT)
7. EXISTING USE: AGRICULTURE (ALMOND ORCHARD)
8. PROPOSED USE: RESIDENTIAL & COMMERCIAL
9. PROPOSED LOTS: (200 RESIDENTIAL; 1 HIGH DENSITY; 1 COMMERCIAL)
10. SETBACKS: FRONT = 25'; INTERIOR SIDE = 5'; STREET SIDE = 5'; REAR = 5'
11. UTILITY SERVICES PROVIDED BY:

WATER	CITY OF KERMAN
SEWER	CITY OF KERMAN
ELECTRICITY	PACIFIC GAS & ELECTRIC
GAS	PACIFIC GAS & ELECTRIC
STORM DRAIN	CITY OF KERMAN
CABLE TELEVISION	AT&T
TELEPHONE	AT&T

12. THERE ARE EXISTING ABOVE GROUND USES OR STRUCTURES SUCH AS POWER POLES, POWER LINES, IRRIGATION VENTS, IRRIGATION RISERS WITHIN THE PROPOSED SUBDIVISION.
13. THERE ARE EXISTING UNDERGROUND FEATURES SUCH AS WELLS, IRRIGATION PIPES, VALVES AND OTHER UNDERGROUND STRUCTURES WITHIN THE PROPOSED SUBDIVISION.
14. ALL IMPROVEMENTS SHALL BE AS REQUIRED BY THE CITY OF KERMAN, AND SHALL INCLUDE SANITARY SEWER, DOMESTIC WATER, UNDERGROUND POWER, TELEPHONE, GAS, CONCRETE CURBS, GUTTERS, SIDEWALKS, PERMANENT STREET PAVEMENT, STREET LIGHTS, ETC.
15. PROPOSED IMPROVEMENTS, INCLUDING SEWER, WATER, STORM SEWER, STREETLIGHTS, GUTTER, CURB, SIDEWALK, AND PERMANENT PAVEMENT SHALL BE INSTALLED PER CITY OF KERMAN STANDARD DRAWINGS.
11. THERE ARE NO EXISTING CANALS OR DITCHES LOCATED WITHIN THE PROPOSED SUBDIVISION.
12. ALL EXISTING TREES & BUSHES ON SUBJECT PROPERTY TO BE REMOVED.
13. THERE ARE EXISTING UNDERGROUND IRRIGATION UTILITIES ON SUBJECT PROPERTY.

SYMBOL AND LINETYPE LEGEND:

☼	EXISTING LIGHT POLE
○	EXISTING UTILITY POLE
——·——	EXISTING CENTERLINE/SECTION LINE
——·——	EXISTING PROPERTY LINE
- - - - -	EXISTING RIGHT OF WAY
- - - - -	EXISTING EASEMENT
——·——	EXISTING AERIAL ELECTRICAL LINE
——·——	EXISTING SUBDIVISION BOUNDARY LINE
——·——	PROPOSED RIGHT OF WAY LINE
——·——	PROPOSED LOT LINE
——·——	PROPOSED CENTERLINE
- - - - -	PROPOSED EASEMENT LINE
**	INDICATES PROPOSED 10' P.U.E.

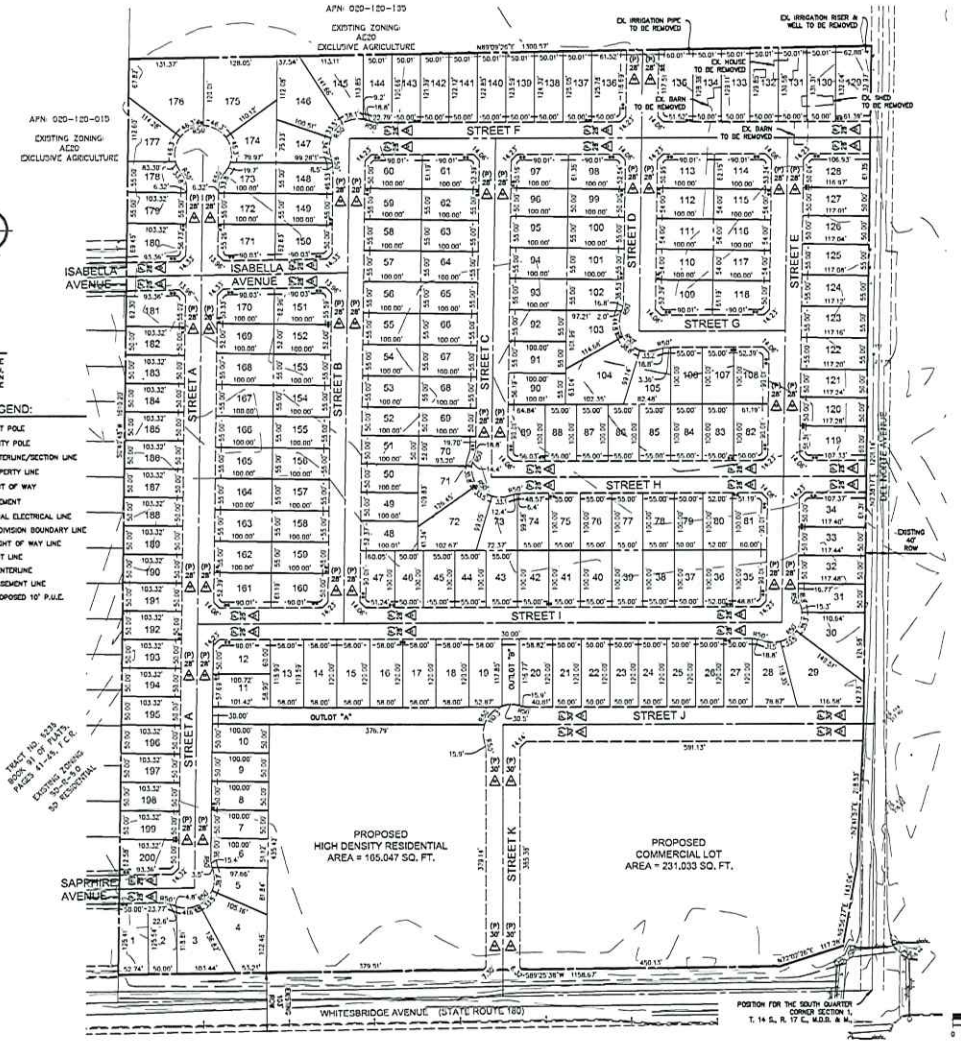
LEGAL DESCRIPTION

THE LAND REFERRED TO IS SITUATED IN THE CITY OF KERMAN, COUNTY OF FRESNO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE WEST ½ OF LOT 16 AND ALL OF LOTS 19 AND 20, AND ALL OF THAT PORTION OF THE WEST ½ OF LOT 16 LYING SOUTH OF A LINE WHICH IS PARALLEL TO AND 990 FEET SOUTH OF THE NORTH LINE OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 14 SOUTH, RANGE 17 EAST, ALL OF THE AFOREMENTIONED DESCRIBED REAL PROPERTY BEING IN SECTION 1, TOWNSHIP 14 SOUTH, RANGE 17 EAST, M.D.B. & M., FRESNO IRRIGATION FARMS CO. TRACT, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AS PER MAP RECORDED JUNE 24, 1912, IN BOOK 8, RECORD OF SURVEYS AT PAGE 1, FRESNO COUNTY RECORDS.

BASIS OF BEARINGS

THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 14 SOUTH, RANGE 17 EAST, M.D.B. & M., TAKEN TO BE NORTH 00°34'06" EAST AS SHOWN ON MAP OF TRACT NO. 6236 RECORDED IN BOOK 91 OF PLATS, AT PAGES 41-45, FRESNO COUNTY RECORDS.



PARCEL TABLE

PARCEL #	AREA (SQ. FT.)
1	6469
2	6216
3	6535
4	10686
5	5853
6	5100
7	5000
8	5000
9	5000
10	5000
11	6065
12	5872
13	6960
14	6960
15	6960
16	6960
17	6960
18	6960
19	6954
20	7039
21	6000
22	6000
23	6000
24	6000
25	6000
26	6000
27	6000
28	7399
29	12092
30	9181
31	5771
32	5873
33	5871
34	7070
35	5890
36	5200
37	5000
38	5000
39	5500
40	5500
41	5500
42	5500
43	5500
44	5500
45	5500
46	5000
47	6015
48	5177
49	5000
50	5000
51	5000
52	5000
53	5000
54	5500
55	5500
56	5500
57	5500
58	5500
59	5500
60	6010
61	6129
62	5500
63	5500
64	5500
65	5500
66	5500
67	5500
68	5500
69	5000
70	5182
71	7022
72	9459
73	5331
74	5499
75	5500
76	5500
77	5500
78	5500
79	5000
80	5200
81	6010
82	6010
83	5500
84	5500
85	5500
86	5500
87	5500
88	5500
89	6494
90	5360
91	5500
92	5500
93	5500
94	5500
95	5500
96	5000
97	6025
98	6143
99	5000
100	5500
101	5500
102	5485
103	7106
104	10858
105	6352
106	5500
107	5500
108	6129
109	6129
110	5400
111	5400
112	5400
113	6105
114	6224
115	5400
116	5400
117	5400
118	6010
119	7065
120	5863
121	5861
122	6445
123	6443
124	6441
125	6438
126	5831
127	5649
128	7048
129	8232
130	6584
131	6547
132	6511
133	6474
134	6437
135	7724
136	7619
137	6271
138	6234
139	6198
140	6161
141	6124
142	6088
143	6051
144	5900
145	5795
146	10231
147	5882
148	5488
149	5500
150	6082
151	6377
152	5200
153	5500
154	5500
155	5500
156	5500
157	5500
158	5500
159	5500
160	6010
161	6129
162	5500
163	5500
164	5500
165	5500
166	5500
167	5500
168	5500
169	5200
170	6114
171	6344
172	5500
173	5106
174	6445
175	14664
176	14458
177	6815
178	5291
179	5683
180	6985
181	6528
182	5166
183	5166
184	5166
185	5166
186	5166
187	5166
188	5166
189	5166
190	5166
191	5166
192	5166
193	5166
194	5166
195	5166
196	5166
197	5166
198	5166
199	5166
200	6283

OUTLOT TABLE

OUTLOT #	AREA (SQ. FT.)
OUTLOT "A"	14575
OUTLOT "B"	3473

GATEWAY ENGINEERING, INC.
CIVIL ENGINEERS | LAND SURVEYORS
P. 559-3204344 | F. 559-3204345 | WWW.GATEWAYENG.COM
405 PARK CREEK DRIVE, CLOVIS, CA 93611-4435

Manuel Campos

From: Kraig Magnussen <kraig.magnussen@kermanusd.com>
Sent: Thursday, April 4, 2024 10:02 AM
To: Manuel Campos
Cc: Jennifer Sagariballa; Eric VonBerg
Subject: Re: City of Kerman Project Follow-Up

Hello Manuel, We have no comments. We are good. Good to see more development coming in so we can fill up our new school! Eric, do you have any? The only comments are that the proposed zoning for our property is not correct. But we can take care of that down range I'm guessing.

On Thu, Apr 4, 2024 at 9:55 AM Manuel Campos <mcampos@cityofkerman.org> wrote:

> Good morning KUSD,
>
> I am just following up on the attached emails.
>
> Best regards,

Manuel Campos | Assistant Planner

City of Kerman | Community Development Department

p. (559) 846.9384 ext. 316 | f. (559) 846.6199

850 S. Madera Ave. Kerman, CA 93630

mcampos@cityofkerman.org

www.cityofkerman.net

--
Best regards,

Kraig Magnussen

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Manuel Campos

From: Jay Fowler <jayfowler@midvalleydisposal.com>
Sent: Saturday, February 24, 2024 10:49 AM
To: Manuel Campos; Theresa Johnson; Michael Barajas; jacob.mcafee@northcentralfire.org; bjimenez@fresnocountyca.gov; Spaunhurst, Brian; Lara, Juan; hluna@fresnocounty.gov; Jonathon Kutka; Padilla, Dave@DOT
Subject: RE: City of Kerman Project Distribution - Del Norte Estates

Hello

For solid waste services, each SF unit will require 3 carts. Presume these would be in the garage or elsewhere on the property until service day.

Regarding the width of the street. Its adequate for our trucks to operate. One concern is street parking, these high density homes make navigating the collections difficult and risky. Any chance of street parking restrictions on the day of service?

Thank you,

Jay

From: Manuel Campos <mcampos@cityofkerman.org>
Sent: Wednesday, February 21, 2024 4:22 PM
To: Theresa Johnson <tjohnson@cityofkerman.org>; Jesus Gonzalez <jesusgonzalez@yhmail.com>; Michael Barajas <MBarajas@cityofkerman.org>; lkimura@fresnoirrigation.com; engr-review@fresnoirrigation.com; Jodi Ward <jward@sebastiancorp.com>; Rhonda Armstrong- Sebastian <RArmstrong@sebastiancorp.com>; kraig.magnussen@kermanusd.com; Jennifer Sagariballa <jennifer.sagariballa@kermanusd.com>; Jay Fowler <jayfowler@midvalleydisposal.com>; jacob.mcafee@northcentralfire.org; CEQA - SJVAPCB-valley air-CEQA permitreview <ceqa@valleyair.org>; Cecilia Belmontes <cecilia.belmontes@kermanusd.com>; Wil Barcoma (FCLE) <Wil.Barcoma@fcle.org>; pgeplanreview@pge.com; bjimenez@fresnocountyca.gov; Spaunhurst, Brian <bspaunhurst@fresnocountyca.gov>; Lara, Juan <jlara@fresnocountyca.gov>; hluna@fresnocounty.gov; Bonique Emerson <bemerson@precisioneng.net>; Jenna Chilingerian <jchilingerian@precisioneng.net>; Jonathon Kutka <jonathon.kutka@northcentralfire.org>; Steve Wilkins (FCLE) <Steve.Wilkins@fcle.org>; Isla, Nicholas@DOT <Nicholas.Isla@dot.ca.gov>; Padilla, Dave@DOT <dave.padilla@dot.ca.gov>; Munique Cubillos (FCLE) <Munique.Cubillos@fcle.org>
Subject: City of Kerman Project Distribution - Del Norte Estates

Dear Stakeholder,

Please find attached a summary of a Development Application for a project referred to as Del Norte Estates located on the northwest corner of W. Whitesbridge Rd. and Del Norte Ave., in Kerman, CA 93630.

Please provide comments or questions on or before **March 21, 2024.**

An Initial Study compliant with CEQA guidelines will be distributed for public review and comments separately.

Stakeholders List

- City of Kerman (internal depts.)

- North Central Fire Prevention District
- Kerman Unified School District
- Mid Valley Disposal
- Fresno Irrigation District
- Fresno County Public Works/Planning
- Fresno LAFCo
- Sebastian Corp
- Caltrans District 6
- SJVAPCD
- PG&E

Respectfully,

Manuel Campos | Assistant Planner
City of Kerman | Community Development Department
p. (559) 846.9384 ext. 316 | f. (559) 846.6199
850 S. Madera Ave. Kerman, CA 93630
mcampos@cityofkerman.org
https://link.edgepilot.com/s/c55bd616/W-gAz-0a30yhINnK00FT3w?u=http://www.cityofkerman.net/

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Manuel Campos

From: Jonathon Kutka <jonathon.kutka@northcentralfire.org>
Sent: Monday, April 8, 2024 12:46 PM
To: Jesus Orozco; Manuel Campos
Subject: Del Notre and Gill Orchard estates
Attachments: 403.002 - Fire Department Access.pdf

Good morning Jesus and Manuel,

Here are NCFPD notes from our meeting regarding Del Norte and Gill Orchard Estates pertaining too FD requirements. These requirements apply to both sites.

Attached are the NCFPD requirements per CFC and NCFPD Policy 403.002.

Buildings not meeting the criteria in Item 2 above will have a minimum of two (2) points of vehicle access. The second point of access can be an approved Emergency Vehicle Access as described below. Unusual designs may require additional access points and must receive prior approval by the Fire Marshal, or designee.

When two (2) points of access are required, they will be placed at a distance apart equal to or not less than one-half the length of the maximum diagonal dimension of the lot or area served, measured in a straight line between access points. Unusual lot configurations or other site restrictions may be allowed by the Fire Marshal, or designee, subject to review and analysis of the access.

All types of fire apparatus access will have a minimum clear width of 20 feet and a vertical clearance of 13 feet, 6 inches over the entire length of the access.

Required fire access roads will be provided with an all-weather surface before delivery of combustible material on site, and will be maintained in service during all phases of construction. Alternative or phased fire access requires approval by the Fire Department. Failure to maintain fire access may result in a Stop Work Order until access is restored.

Roadways less than 26-feet in width are NOT permitted to have parking on either side. Roadways greater than 26-feet but less than 35-feet may have parking on one side.

Policy 403.002 has several items, since this is just a pre-review, I attached our whole policy, but specifically took out certain sections from the meeting regarding both Del Norte and Gill Orchard estates.

Please let me know if you have any questions.

Sincerely,

Jonathon Kutka
Battalion Chief
North Central Fire Protection District
15850 Kearney Blvd.
Kerman, CA 93630
Cell (559)785-7116

Jonathon.kutka@northcentralfire.org



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FIRE PREVENTION MANUAL		
	Fire Department Access	EFFECTIVE DATE: **01/01/2019**
	APPROVED BY: Timothy V. Henry Fire Chief	REVISED DATE: **TBD**
		NUMBER: **403.002**

PURPOSE

This policy has been established to provide direction for the requirements of the North Central Fire Protection District (District) for providing minimum fire department access to properties within the District.

APPLICATION

This policy applies to developers and licensed contractors completing construction projects within the District service areas.

OPERATIONAL POLICY

The purpose of fire department apparatus access is to allow emergency vehicles to approach a building as close as practical in order to deploy fire hose, ladders, and other equipment necessary for rescue and fire suppression.

District emergency vehicles are the longest, widest, tallest, and heaviest vehicles regularly driven on residential streets, private driveways, and alleys. The ability to manipulate and deploy Department apparatus is greatly affected by the dimensions and reliability of the access available.

Access, as defined in this policy, includes private streets and driveways not otherwise defined under *City of Kerman or County of Fresno Public Works (PW) Standards for Streets*.

A. General Fire Access Requirements:

1. All building openings will be accessible within 200 feet of a public street, private driveway, or other approved access.

2. Buildings and exterior storage areas sited so that all building openings and exterior storage area perimeters are within 650 feet (450 feet driving distance plus 200 foot hose pull) of the property entrance drive may have a single point of access with approved turnarounds as needed complying with this policy.

3. Buildings not meeting the criteria in Item 2 above will have a minimum of two (2) points of vehicle access. The second point of access can be an approved Emergency Vehicle Access as described below. Unusual designs may require additional access points and must receive prior approval by the Fire Marshal, or designee.

4. When two (2) points of access are required, they will be placed at a distance apart equal to or not less than one-half the length of the maximum diagonal dimension of the lot or area served, measured in a straight line between access points. Unusual lot configurations or other site restrictions may be allowed by the Fire Marshal, or designee, subject to review and analysis of the access.

5. All types of fire apparatus access will have a minimum clear width of 20 feet and a vertical clearance of 13 feet, 6 inches over the entire length of the access.

6. Where gates are installed across fire access drives, the full open width of the drive aisle must be maintained clear of gate hardware. (*See*: *Fire Prevention Manual*, Section 403.004, Emergency Services Bypass Locks for Secured Access Developments, for information regarding emergency access bypass lock requirements).

7. Fire access drives separated by a median will have a minimum width of 15 feet on each side of the median.

8. All types of access will not exceed a ten (10) percent grade or contain any irregularity creating an angle of approach or departure in excess of ten (10) percent, except as approved by the Fire Marshal, or designee.

9. Required fire access roads will be provided with an all-weather surface before delivery of combustible material on site, and will be maintained in service during all phases of construction. Alternative or phased fire access requires approval by the Fire Department. Failure to maintain fire access may result in a Stop Work Order until access is restored.

10. Temporary gates installed during construction will be provided with Fire X1 padlocks; a padlock model is available with a red construction core for use by both the contractor and the District. The core will be changed out by the contractor upon completion of the project.
11. Non-traditional pavement systems such as turf pavers, grasscrete, etc., are not allowed for EVA approaches or access drives in the public way as required by the Public Works Department. Such alternate paving material used on private property is subject to approval by the Fire Marshal, or designee. The design of

such system must be prepared by a Civil Engineer and submitted to the D Fire Prevention for plan review and installation permits. The path of such surfaces must be clearly edge delineated by an approved permanent method such as six (6") inch concrete mow strips.

12. Vertical displacement traffic calming devices or pavements treatment are prohibited on both public and private streets (See: *Fire Prevention Manual*, Section 403.007, Vertical Displacement Traffic Calming Devices).

13. Regardless of parking configurations, a minimum clear drive aisle width of 20 feet is required. The Fire Marshal, or designee, may require increases in drive aisle width due to specific site issues and for aerial ladder truck access. (See: *Fire Prevention Manual*, Section 403.005, Requirements for Marking Fire Lanes on Private Property).

B. Emergency Vehicle Access (EVA):

1. Gates, posts, or other barriers approved by the District will be installed at each entrance to emergency vehicle access points and when required by the Fire Marshal, or designee, where EVA driveways are needed for connection to the interior common access road system.

2. A Fire X-1 padlock will be installed on manually operated gates used solely for emergency vehicle access and may be used in conjunction with owner or utility services padlocks. The Fire Marshal, or designee, is authorized to require electric gate Click-to-Enter radio frequency gate operating hardware where EVA access is needed from freeways or other high speed traffic corridors.

3. Entrances to all emergency vehicle access points will be posted with permanent signs on both sides of the EVA entrance with the following wording: "FIRE LANE" in six-inch letters, "VEHICLES REMOVED AT OWNER'S EXPENSE" in two-inch letters, and display a telephone number the vehicle owner can call to recover their vehicle. (See: *Fire Prevention Manual*, Section 403.005, Requirements for Marking Fire Lanes on Private Property).

4. Where EVA access drives are not provided with gates or barriers at each entrance, the drive aisle curb or side of road will be marked with "FIRE LANE NO PARKING at 50 foot intervals. (See: *Fire Prevention Manual*, Section 403.005, Requirements for Marking Fire Lanes on Private Property).

5. Where access to an EVA is from a public or private street that is improved with a curb, a County of Fresno or City of Kerman *Public Works Standard P-67* approach is acceptable. Use of a wedged or rolled curb for a driveway approach is not acceptable.

   Where access to an EVA gate is from an adjacent parcel(s), a recorded access easement is required between all affected property owners and will be executed

with the Planning entitlement through the Planning Division. (City of Ke
County of Fresno) [Something missing here]

C. Turnarounds:

1. Buildings and exterior storage areas with a single point of access in excess of 150 feet in length are required to be provided with approved turnarounds. Turnarounds will be located within 150 feet of the termination of the single entry road. Portions of the road requiring fire apparatus to back up will not include any turns or bends, except for the required turnarounds.

2. Intermediate turnarounds will be required for multiple points of access exceeding 700 feet in length.

3. All turnarounds will have a minimum 34 foot inside turning radius," a minimum length and width of 90 X 24 and minimum clear approach drive width of 22 feet for a distance of 60 feet.

4. Turnarounds will be kept clear of all obstructions and marked as fire lanes on the perimeter curb or edge of the turnaround.

5. Turnaround areas cannot be incorporated into loading zones.

D. Aerial Fire Apparatus Access:

1. Where building roof eaves are more than 30 feet in height, as measured from the grade of the adjacent fire access road, 26-foot minimum wide driveways will be located directly adjacent to at least one long side of the building. The aerial fire apparatus access will extend at least 45 feet beyond each end of the building. This allows for access to the corners of the building and to accommodate a set up area outside of the potential building collapse zone. Aerial fire apparatus access will comply with all access and turnaround requirements. For unusually shaped buildings without a rectangular or square building footprint, alternate locations of ladder truck access points may be considered by the Fire Marshal, or designee, and analyzed on case by case bases.

2. Aerial fire apparatus access (near edge) will be located a minimum 15 feet away from the building as measured to the edge of the fire access drive. The starting point maximum distance away from the building is 30 feet; however, a greater distance may be permitted depending on the upon the height to the eave or parapet and will be analyzed on a case by case basis during plan review.

3. Overhead utility and power lines, large trees, and other obstructions will not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building.

4. Buildings designated as high-rise by the *California Building Code (CBC)* (
   the highest occupied floor is located more than 75 feet in height from the grade level of an adjacent fire access road) have no specific aerial ladder truck access requirements.

E. Fire Hose and Equipment Walking Access to Building Openings:

Required walking access will be designed to prevent sharp turns and obstacles which would hinder the carrying of hoses, ground ladders and other hand-held equipment. The walking path requires an unobstructed 36 inch horizontal clearance and continuous seven foot vertical clearance. All gates across fire hose and equipment access points will be a minimum of four (4) feet clear width. Gates across required walking access paths will be provided with Fire X-1 padlock(s).

OPERATIONAL GUIDELINE

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PROCESS

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INFORMATION

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DEFINITIONS

1. Common Vehicle Access--Common vehicle access describes private streets, driveways, and alleys which connect with a public street and are required for emergency access as well as for access by the public.

2. Emergency Vehicle Access--Where adequate common vehicle access to buildings is not provided by public streets or private driveways, emergency access will be provided for the exclusive use of emergency services vehicles.

3. Fire Hose Pull and Equipment Walking Access--Fire hose pull and equipment access is an unobstructed walking path which provides continuous access connecting vehicular access to all building openings and exterior storage areas.

4. Aerial Fire Apparatus Access--Fire apparatus access located directly adjacent to the corners of multi-story buildings, positioned in such a way as to allow fire department aerial ladders to be raised to the lowest point of the roof eave (as defined in *California Building Code (CBC),* Section 702A Definitions).

5. All Weather Access--Required fire apparatus access lanes will be provided year round and maintained during all phases of construction with an approved, all-weather surface, capable of supporting 80,000-pound vehicles. An all-weather surface is composed of minimum four (4") inch compacted base rock or gravel over compacted or undisturbed native soil or per approved engineering plans with a minimum of 24 feet of clear width or 20 feet minimum clear width if an approved method to prevent shoulder degradation is utilized.

CROSS-REFERENCES

California Building Code
Section 702A, Definitions

California Fire Code, Current edition

Fire Prevention Manual
Section 403.004, Emergency Services Bypass Locks for Secured Access Developments
Section 403.005, Requirements for Marking Fire Lanes on Private Property
Section 403.007, Vertical Displacement Traffic Calming Devices

March 19, 2024

Manuel Campos
City of Kerman
850 S Madera Ave
Kerman, CA 93630

Re: Del Norte Estates Tentative Tract Map No. 6473

Dear Manuel:

Thank you for giving us the opportunity to review the proposed Del Norte Estates Tentative Tract Map No. 6473. The installation of new gas and electric facilities and/or relocation of existing PG&E facilities will be performed in accordance with common law or Rules and Tariffs as authorized by the California Public Utilities Commission.

Following our review, PG&E recommends the following language be expressly stated for the offer to dedicate Public Utility Easements (PUE):

> I/We the undersigned, as Owner(s) of the land shown hereon, do hereby state that I/we am/are the only person(s) whose consent is necessary to pass clear title to said land and do hereby consent to the preparation and recordation of this map and offer for dedication and do hereby dedicate for public uses the Public Utility Easements (PUEs) shown on this map for public utility purposes including electric, gas, communication facilities and all other public utility purposes; together with any and all appurtenances thereto, including the right from time to time to trim and to cut down and clear away or otherwise control any trees or brush. The PUEs hereby offered for dedication are to be kept open and free of buildings, structures and wells of any kind.

The final map must contain a statement setting forth dedications and offers to dedicate interests in real property for public utility purposes. If the offer of dedication has terminated, or the local agency declines to accept it, the applicant maybe required to provide an easement in gross satisfactory to PG&E. Please note that this is our preliminary review and PG&E reserves the right for future review as needed.

Please work with PG&E's Service Planning department at www.pge.com/cco for additional services you may require, or for any modification and/or relocation requests.

Sincerely,



Justin Newell
Land Management
916-594-4068

San Joaquin Valley AIR POLLUTION CONTROL DISTRICT

HEALTHY AIR LIVING™

April 8, 2024

Manuel Campos
City of Kerman
Community Development Department
850 S. Madera Ave.
Kerman, CA 93630

Project: Del Norte Estates

District CEQA Reference No: 20240229

Dear Mr. Campos:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Development Application (DEV) from the City of Kerman for the proposed residential development. Per the DEV, the project consists of 200 single-family residential units (Project). The Project is located at 275 N. Del Norte Avenue and 204 N. Del Norte Avenue in Kerman, CA.

The District offers the following comments at this time regarding the Project:

1) Project Related Emissions

The District's initial review of the Project concludes that emissions resulting from construction and operation of the Project may exceed any of the following significance thresholds as identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf. The District recommends that a more detailed preliminary review of the Project be conducted for the Project's construction and operational emissions.

1a) Construction Emissions

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, the Project should utilize the cleanest available off-road construction equipment.

Samir Sheikh
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

www.valleyair.org www.healthyairliving.com

Printed on recycled paper.

1b) Operational Emissions

Operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts: https://ww2.valleyair.org/media/g4nl3p0g/gamaqi.pdf.

Recommended Mitigation Measure: At a minimum, project related impacts on air quality should be reduced to levels below the District's significance thresholds through incorporation of design elements such as the use of cleaner Heavy Heavy-Duty (HHD) trucks and vehicles, measures that reduce Vehicle Miles Traveled (VMTs), and measures that increase energy efficiency. More information on transportation mitigation measures can be found at: https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf

1c) Recommended Model for Quantifying Air Emissions

Project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.

2) Health Risk Screening/Assessment

The City should evaluate the risk associated with the Project for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for the Project. These health risk determinations should quantify and characterize potential Toxic Air Contaminants (TACs) identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project.

Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

Prioritization (Screening Health Risk Assessment):
A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology. Please contact the District for assistance with performing a Prioritization analysis.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

Health Risk Assessment:
Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the health impacts would exceed the District's established risk thresholds, which can be found here: https://ww2.valleyair.org/permitting/ceqa/.

A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors to prevent the creation of a significant health risk in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at https://ww2.arb.ca.gov/our-work/programs/resource-center/strategy-development/land-use-resources.

3) Ambient Air Quality Analysis

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for the Project if emissions exceed 100 pounds per day of any pollutant.

An AAQA uses air dispersion modeling to determine if emission increase from a project will cause or contribute to a violation of State or National Ambien Air Quality Standards. An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website: https://ww2.valleyair.org/permitting/ceqa/.

4) Voluntary Emission Reduction Agreement

Criteria pollutant emissions may result in emissions exceeding the District's significance thresholds, potentially resulting in a significant impact on air quality. When a project is expected to have a significant impact, the District recommends the Environmental Impact Report also include a discussion on the feasibility of implementing a Voluntary Emission Reduction Agreement (VERA) for this Project.

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient

heavy-duty trucks, and replacement of agricultural equipment with the latest generation technologies.

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental document includes an assessment of the feasibility of implementing a VERA.

5) Vegetative Barriers and Urban Greening

There are residential units located directly west and south of the Project. The District suggests the City consider the feasibility of incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residential units).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the update of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

6) Clean Lawn and Garden Equipment in the Community

Since the Project consists of residential development, gas-powered residential lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: https://ww2.valleyair.org/grants/clean-green-yard-machines-residential/
and https://ww2.valleyair.org/grants/zero-emission-landscaping-equipment-voucher-program/.

7) On-Site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for the Project.

8) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

8a) District Rule 9510 - Indirect Source Review (ISR)

The Project is subject to District Rule 9510 because it will receive a project-level discretionary approval from a public agency and will equal or exceed 50 dwelling units of residential development.

The purpose of District Rule 9510 is to reduce the growth in both NOx and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The ISR Rule requires developers to mitigate their NOx and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

Per Section 5.0 of the ISR Rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. As of the date of this letter, the District has not received an AIA application for this Project. Please immediately submit an AIA application to the District to comply with District Rule 9510 so that proper mitigation and clean air design under ISR can be incorporated into the Project's design. One AIA application should be submitted for the entire Project.

Information about how to comply with District Rule 9510 can be found online at: https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview

The AIA application form can be found online at: https://ww2.valleyair.org/permitting/indirect-source-review-rule-overview/forms-and-applications/

8b) District Rule 4601 (Architectural Coatings)

The Project will be subject to District Rule 4601 since it is expected to utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: https://ww2.valleyair.org/media/tkgjeusd/rule-4601.pdf

8c) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities.*

Since the project will result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at: https://ww2.valleyair.org/media/fm3jrbsq/dcp-form.docx

Information about District Regulation VIII can be found online at: https://ww2.valleyair.org/dustcontrol

8d) District Rule 4901 - Wood Burning Fireplaces and Heaters

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.

Information about District Rule 4901 can be found online at: https://ww2.valleyair.org/compliance/residential-wood-smoke-reduction-program/

8e) Other District Rules and Regulations

The Project may also be subject to the following District rules: Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

If you have any questions or require further information, please contact Jacob Torrez by e-mail at Jacob.torrez@valleyair.org or by phone at (559) 230-6558.

Sincerely,

Tom Jordan
Director of Policy and Government Affairs

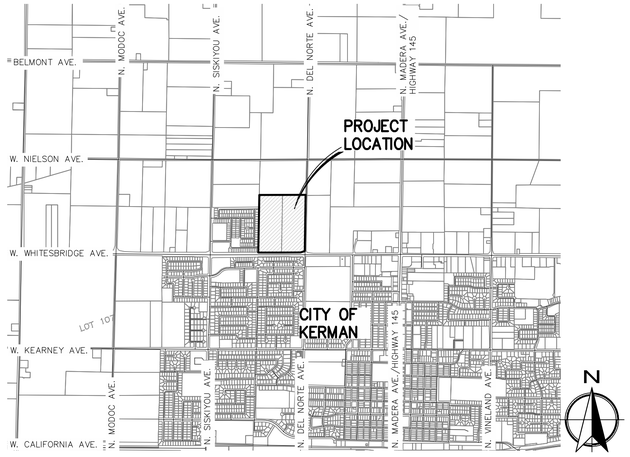
For: Mark Montelongo
Program Manager

Attachment A

Application Review Comments - J. Gonzalez, 04-09-24

TENTATIVE TRACT MAP NO. 6473

IN THE UNINCORPORATED AREA OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA
SURVEYED & PLATTED IN NOVEMBER 2023
BY GATEWAY ENGINEERING, INC.



VICINITY MAP:

1" = 2000'

OWNER:

ROBERT J. COUTO & CYNTHIA D. COUTO
336 N. DEL NORTE AVE.
KERMAN, CA 93630

APPLICANT/DEVELOPER:

THE HOLLAND GROUP
P.O. BOX 27560
FRESNO, CA 93729

ENGINEER/SURVEYOR:

GATEWAY ENGINEERING, INC.
405 PARK CREEK DRIVE
CLOVIS, CA 93611

FLOOD HAZARD ZONE:

AS DELINEATED ON THE FEDERAL INSURANCE ADMINISTRATION'S FLOOD INSURANCE RATE MAP NO. 06019C2075H, EFFECTIVE DATE 2/18/2009, CITY OF KERMAN, CALIFORNIA, FRESNO COUNTY, THE PROPERTY SHOWN ON THIS MAP LIES WITHIN THE FLOOD HAZARD AREA DESIGNATED AS ZONE X. AREAS IN ZONE X ARE DETERMINED TO BE AREAS OF 0.2% ANNUAL CHANCE FLOOD HAZARD.

SITE NOTES:

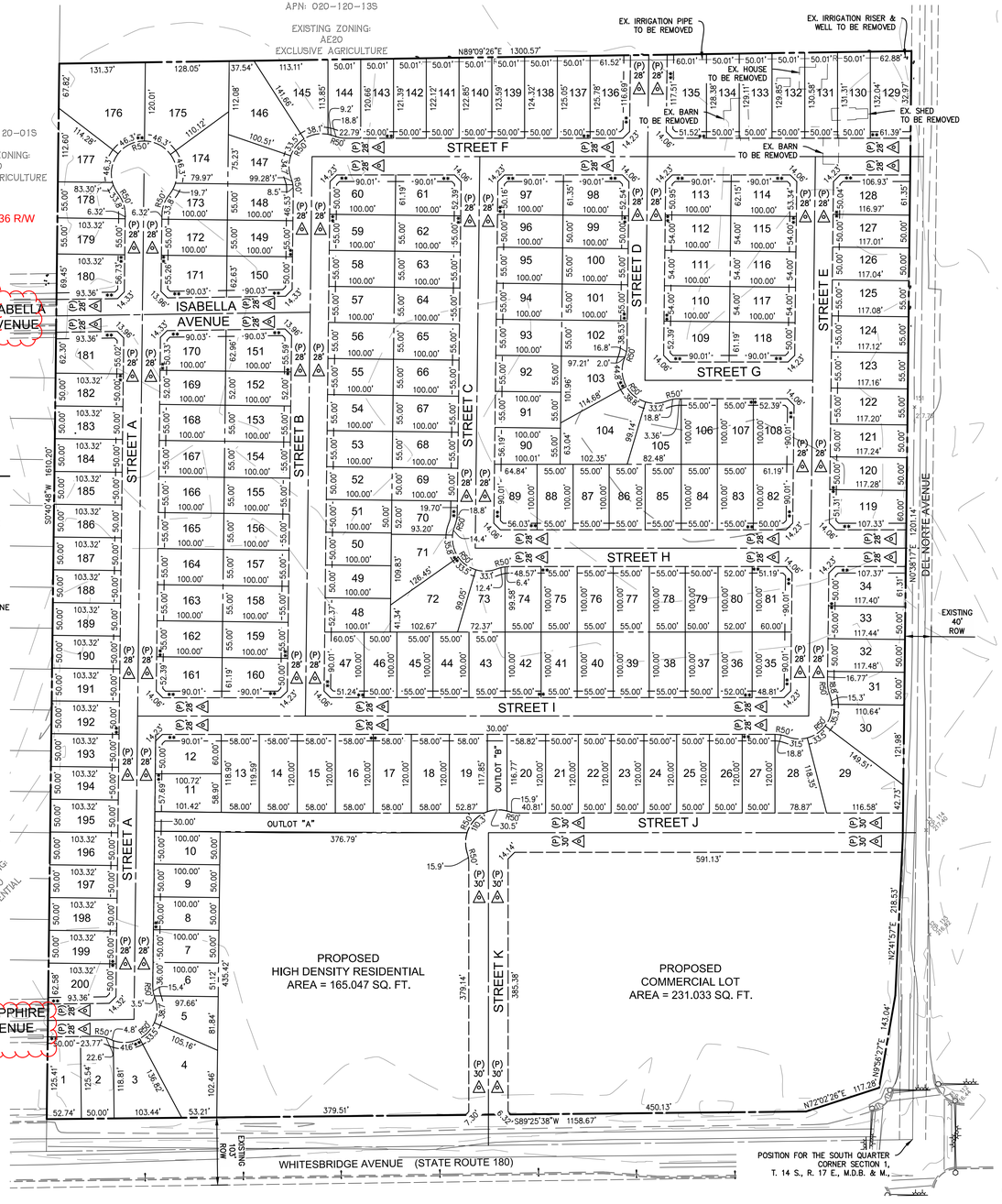
1. APN: 020-120-29S & 30S
2. ADDRESS: NO SITE ADDRESS (NORTHWEST CORNER OF SR-180 & N. DEL NORTE AVE.
3. GROSS AREA: ±2,091,331 SQ. FT. (±48.01 ACRES)
4. NET AREA: ±2,091,331 SQ. FT. (±48.01 ACRES)
5. EXISTING ZONING: AL20 (AGRICULTURE EXCLUSIVE)
6. PROPOSED ZONING: SD-R-5.0 (SMART DEVELOPMENT DISTRICT)
7. EXISTING USE: AGRICULTURE (ALMOND ORCHARD)
8. PROPOSED USE: RESIDENTIAL & COMMERCIAL
9. PROPOSED LOTS: (200 RESIDENTIAL; 1 HIGH DENSITY; 1 COMMERCIAL)
10. SETBACKS: FRONT = 25'; INTERIOR SIDE = 5'; STREET SIDE = 5'; REAR = 5'
11. UTILITY SERVICES PROVIDED BY:

WATER	CITY OF KERMAN
SEWER	CITY OF KERMAN
ELECTRICITY	PACIFIC GAS & ELECTRIC
GAS	PACIFIC GAS & ELECTRIC
STORM DRAIN	CITY OF KERMAN
CABLE TELEVISION	AT&T
TELEPHONE	AT&T

12. THERE ARE EXISTING ABOVE GROUND USES OR STRUCTURES SUCH AS POWER POLES, POWER LINES, IRRIGATION VENTS, IRRIGATION RISERS WITHIN THE PROPOSED SUBDIVISION.
13. THERE ARE EXISTING UNDERGROUND FEATURES SUCH AS WELLS, IRRIGATION PIPES, VALVES AND OTHER UNDERGROUND STRUCTURES WITHIN THE PROPOSED SUBDIVISION.
14. ALL IMPROVEMENTS SHALL BE AS REQUIRED BY THE CITY OF KERMAN, AND SHALL INCLUDE SANITARY SEWER, DOMESTIC WATER, UNDERGROUND POWER, TELEPHONE, GAS, CONCRETE CURBS, GUTTERS, SIDEWALKS, PERMANENT STREET PAVEMENT, STREET LIGHTS, ETC.
15. PROPOSED IMPROVEMENTS, INCLUDING SEWER, WATER, STORM SEWER, STREETLIGHTS, GUTTER, CURB, SIDEWALK, AND PERMANENT PAVEMENT SHALL BE INSTALLED PER CITY OF KERMAN STANDARD DRAWINGS.
11. THERE ARE NO EXISTING CANALS OR DITCHES LOCATED WITHIN THE PROPOSED SUBDIVISION.
12. ALL EXISTING TREES & BUSHES ON SUBJECT PROPERTY TO BE REMOVED.
13. THERE ARE EXISTING UNDERGROUND IRRIGATION UTILITIES ON SUBJECT PROPERTY.

SYMBOL AND LINETYPE LEGEND:

- EXISTING LIGHT POLE
- EXISTING UTILITY POLE
- EXISTING CENTERLINE/SECTION LINE
- EXISTING PROPERTY LINE
- EXISTING RIGHT OF WAY
- EXISTING EASEMENT
- EXISTING AERIAL ELECTRICAL LINE
- EXISTING SUBDIVISION BOUNDARY LINE
- PROPOSED RIGHT OF WAY LINE
- PROPOSED LOT LINE
- PROPOSED CENTERLINE
- PROPOSED EASEMENT LINE
- ** INDICATES PROPOSED 10' P.U.E.



1) Provide a looped water system. Connect water from existing tract 6236, adjacent to the west of the development. Construct the water main in Del Norte from existing connection point on Whitesbridge through the development frontage.

2) Direct sewer flows to the existing sewer main in Del Norte. Construct Del Norte sewer main through the development frontage

3) Master planned drainage basin does not yet exist. Provide on-site temporary drainage basin. Allow for SD pipe alignments to function with future master planned basin, west of Siskiyou and south of Nielsen.

4) Streets may be developed to 50' R/W width. Reconfigure lots to allow for continuation of T6236 trail to Del Norte Ave.

5) Prepare TTM info in accordance with Kerman municipal code section 16.32.

6) Construct improvements in accordance with Kerman standards.

Adjacent T6236 R/W = 50'.

LEGAL DESCRIPTION

THE LAND REFERRED TO IS SITUATED IN THE CITY OF KERMAN, COUNTY OF FRESNO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE WEST ½ OF LOT 16 AND ALL OF LOTS 19 AND 20, AND ALL OF THAT PORTION OF THE WEST ½ OF LOT 16 LYING SOUTH OF A LINE WHICH IS PARALLEL TO AND 990 FEET SOUTH OF THE NORTH LINE OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 14 SOUTH, RANGE 17 EAST, ALL OF THE AFOREMENTIONED DESCRIBED REAL PROPERTY BEING IN SECTION 1, TOWNSHIP 14 SOUTH, RANGE 17 EAST, M.D.B. & M., FRESNO IRRIGATION FARMS CO. TRACT, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AS PER MAP RECORDED JUNE 24, 1912, IN BOOK 8, RECORD OF SURVEYS AT PAGE 1, FRESNO COUNTY RECORDS.

BASIS OF BEARINGS

THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 14 SOUTH, RANGE 17 EAST, M.D.B. & M., TAKEN TO BE NORTH 00°38'06" EAST AS SHOWN ON MAP OF TRACT NO. 6236 RECORDED IN BOOK 91 OF PLATS, AT PAGES 41-45, FRESNO COUNTY RECORDS.

PARCEL TABLE

PARCEL #	AREA (SQ. FT.)
1	6469
2	6216
3	8535
4	10896
5	5853
6	5100
7	5000
8	5000
9	5000
10	5000
11	6065
12	5972
13	6960
14	6960
15	6960
16	6960
17	6960
18	6960
19	6954
20	7039
21	6000
22	6000
23	6000
24	6000
25	6000
26	6000
27	6000
28	7399
29	12092
30	9101
31	5771
32	5873
33	5871
34	7070
35	5890
36	5200
37	5000
38	5500
39	5500
40	5500
41	5500
42	5500
43	5500
44	5500
45	5500
46	5000
47	6015
48	5177
49	5000
50	5000
51	5000
52	5000
53	5500
54	5500
55	5500
56	5500
57	5500
58	5500
59	5500
60	6010
61	6129
62	5500
63	5500
64	5500
65	5500
66	5500
67	5500
68	5500
69	5000
70	5103

PARCEL #	AREA (SQ. FT.)
71	7022
72	9459
73	5551
74	5499
75	5500
76	5500
77	5500
78	5500
79	5000
80	5200
81	6010
82	6010
83	5500
84	5500
85	5500
86	5500
87	5500
88	5500
89	6494
90	5560
91	5500
92	5500
93	5500
94	5500
95	5500
96	5000
97	6025
98	6145
99	5000
100	5500
101	5500
102	5485
103	7106
104	10856
105	6552
106	5500
107	5500
108	6129
109	6129
110	5400
111	5400
112	5400
113	6105
114	6224
115	5400
116	5400
117	5400
118	6010
119	7065
120	5863
121	5861
122	6445
123	6443
124	6441
125	6438
126	5851
127	5849
128	7048
129	8232
130	6584
131	6547
132	6511
133	6474
134	6437
135	7724
136	7619
137	6271
138	6234
139	6198
140	6161

PARCEL #	AREA (SQ. FT.)
141	6124
142	6088
143	6051
144	5950
145	8795
146	10231
147	5662
148	5498
149	5500
150	6082
151	6377
152	5200
153	5500
154	5500
155	5500
156	5500
157	5500
158	5500
159	5500
160	6010
161	6129
162	5500
163	5500
164	5500
165	5500
166	5500
167	5500
168	5500
169	5200
170	6114
171	6344
172	5500
173	5108
174	6445
175	14664
176	14458
177	6815
178	5291
179	5683
180	6985
181	6528
182	5166
183	5166
184	5166
185	5166
186	5166
187	5166
188	5166
189	5166
190	5166
191	5166
192	5166
193	5166
194	5166
195	5166
196	5166
197	5166
198	5166
199	5166
200	6283

OUTLOT TABLE

OUTLOT #	AREA (SQ. FT.)
OUTLOT "A"	14575
OUTLOT "B"	3473

GATEWAY ENGINEERING, INC.
CIVIL ENGINEERS I LAND SURVEYORS
P. 559-320-0344 I F. 559-320-0345 I WWW.GATEWAYENG.COM
405 PARK CREEK DRIVE, CLOVIS, CA 93611-4435

Attachment ‘F’

Planning Commission Resolutions

RESOLUTION NO. 24-26

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL (1) ADOPT THE FINDINGS REQUIRED BY CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, SECTION 15091; (2) CERTIFY THE ENVIRONMENTAL IMPACT REPORT (SCH NO. 2024031008); (3) ADOPT THE PROPOSED MITIGATION MONITORING AND REPORTING PROGRAM; (4) ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS, PURSUANT TO THE CEQA (ENV 2023-08); AND (5) APPROVE GENERAL PLAN AMENDMENT 2023-03 TO AMEND THE 2040 KERMAN GENERAL PLAN PLANNED LAND USE DESIGNATIONS FOR ASSESSOR'S PARCEL NUMBERS (APNS) 020-120-29S (24.24 ACRES) AND 020-120-30S (24.14), TO MDR – MEDIUM DENSITY RESIDENTIAL AND HDR – HIGH DENSITY RESIDENTIAL , WITH A CORRESPONDING REDUCTION IN LAND DESIGNATED GC – GENERAL COMMERCIAL (NORTHWEST CORNER OF NORTH DEL NORTE AVENUE AND WEST WHITESBRIDGE ROAD (STATE ROUTE 180)

WHEREAS, State Law requires that local agencies adopt General Plans containing specific mandatory elements; and

WHEREAS, the City of Kerman has adopted a Comprehensive General Plan Update and Environmental Impact Report in July 2020, and the City of Kerman is currently in compliance with State mandates relative to Elements of the General Plan; and

WHEREAS, State law also provides for periodic review, updates, and amendments of its various plans; and

WHEREAS, an application was filed by the Holland Group pertaining to two (2) parcels (APNs 020-120-29S and 020-120-30S) consisting of approximately 48.38 acres located on the northwest corner of North Del Norte Avenue and West Whitesbridge Road (State Route 180) ("project site"), requesting to amend the 2040 Kerman General Plan through General Plan Amendment 2023-03; and

WHEREAS, the project site has a City of Kerman 2040 General Plan land use designation of MDR – Medium Density Residential (± 35.88 acres) and GC – General Commercial (± 12.50 acres); and

WHEREAS, General Plan Amendment 2023-03 requests to increase land designated MDR – Medium Density Residential from 35.88 acres to 38 acres, increase HDR – High Density Residential from zero acres to four (4) acres, and reduce GC – General Commercial from 12.50 acres to six (6) acres, representing an increase in acreages of MDR and HDR land use designations, and decrease in acreage of the GC land use designation as shown in Exhibit 1; and

WHEREAS, approval of the project would require approval of General Plan Amendment 2023-03, Rezone 2023-04, Annexation 2023-04, and Tentative Subdivision Map 2023-04; and

WHEREAS, the proposed General Plan Amendment will be consistent with the General Plan and the underlying zoning district, as proposed by Rezone 2023-04; and

WHEREAS, the proposed General Plan Amendment is not expected to be detrimental to the health, safety and welfare of the city; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City of Kerman ("City") as the Lead Agency, has analyzed the proposed Project (including all three parcels to be annexed), including the General Plan Amendment, Rezone, Annexation, and Tentative Subdivision Map, and has prepared an Environmental Impact Report (SCH No. 2024031008) ("EIR") to evaluate the project; and

WHEREAS, in compliance with CEQA Section 21080.4, a Notice of Preparation ("NOP") was prepared by the City and distributed for public comment to the State Clearinghouse, responsible agencies, and other interested parties for a 30-day public review and comment period commencing on March 27, 2024, after which a public scoping meeting was held during the NOP review period on April 3, 2024; and,

WHEREAS, the Draft EIR was circulated for a 45-day public review and comment period commencing on September 11, 2024 to October 26, 2024, which was subsequently extended to December 9, 2024, and a copy of the Draft EIR was circulated through the State Clearinghouse, posted on the City's website, and was available at City Hall; and

WHEREAS, the public review period for the Draft EIR ended on December 9, 2024; and

WHEREAS, a Final EIR was prepared on the proposed Project consistent with CEQA Guidelines Section 15088(b), which addressed comments received on the DEIR, responses to those comments, as well as any appropriate revisions and clarifications to the Draft EIR; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission has completed its review of the Staff Report and documents submitted for the proposed project, evaluated the information contained in the EIR, and considered testimony received as a part of the public hearing process; and

WHEREAS, after due consideration of all the items before it, the Planning Commission now desires to recommend to the City Council approval of General Plan Amendment 2023-03 and certification of EIR as set forth herein.

NOW THEREFORE, be it resolved by the Planning Commission of the City of Kerman as follows:

1. Recitals. The Planning Commission hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

2. EIR Contents. The EIR consists of the following, hereafter collectively referred to as the "EIR".

    a. The Final EIR including any attached appendices.
    b. The Draft EIR including attached appendices.
    c. The Notice of Preparation and comments received in response to the notice.
    d. The Mitigation Monitoring and Reporting Program.
    e. Findings of Fact and Statement of Overriding Considerations.
    f. Additions and corrections to the remaining portions of the Draft EIR that have been made pursuant to public comments received on the Draft EIR with responses to each comment made.
    g. The Notice of Completion and Notice of Availability of the Draft EIR for public review.
    h. Any other information added by the Lead Agency.

3. Certification of Compliance with CEQA. The Planning Commission does hereby find that the EIR, including the Findings of Fact, the Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program, has been prepared in accordance with the requirements of CEQA and the CEQA Guidelines.

4. Recommendation for EIR Certification. The Planning Commission does hereby recommend the following to the City Council.

    a. Recommendation to Adopt Findings of Fact. The Planning Commission hereby recommends to the City Council that it approve, accept as it is shown, incorporate as if set forth in full herein, and make each and every one of the findings contained in the Findings of Fact.

    b. Recommendation to Certify Environmental Impact Report. The Planning Commission hereby recommends to the City Council that it certify that 1) the EIR has been completed in compliance with CEQA, 2) that it has reviewed and considered the information contained in the EIR prior to approving the project, and 3) that the EIR reflects the City Council's independent judgment and analysis.

    c. Recommendation Regarding Feasible and Binding Effect of Mitigation Monitoring and Reporting Program. As more fully identified and set forth in the Findings of Fact and EIR for this project, the Planning Commission hereby recommends to the City Council that it find that the mitigation measures described and specifically identified in the above referenced documents are feasible and shall become binding upon the entity (such as the project proponent or the City) assigned thereby to implement the particular mitigation measures as identified in the Mitigation Monitoring and Reporting Program.

d. Recommendation to Adopt Statement of Overriding Considerations. Even after the adoption of all feasible mitigation measures, certain significant or potentially significant environmental effects caused by the proposed modified project directly, or cumulatively, will remain. The proposed project has been carefully reviewed and the policies included in the proposed project along with the mitigation measures identified in the EIR have avoided or substantially lessened several environmental impacts, to the extent feasible. Nonetheless, the proposed project may have certain environmental effects which cannot be avoided or substantially lessened. The City has carefully considered all of the environmental impacts that have not been mitigated to an insignificant level. Therefore, the Planning Commission hereby recommends that the City Council issue and approve a Statement of Overriding Considerations which identifies the specific economic, legal, social, technological and other considerations that render the unavoidable significant adverse environmental effects acceptable, either in its current form or as may be modified or amended by the City Council.

e. Recommendation to Adopt Mitigation Monitoring and Reporting Program. As required by applicable State law, the Planning Commission hereby recommends to the City Council that it adopt the Mitigation Monitoring and Reporting Program set forth in Exhibit 3 of this Resolution. The Planning Commission finds that the Mitigation Monitoring and Reporting Program is designed to ensure that, during project implementation, the City and any other responsible parties implement the project components and comply with the mitigation measures identified in the Findings of Fact and the Mitigation Monitoring and Reporting Program.

5. Custodian of Records. The City Clerk is recommended as the designated custodian of records for documents comprising the record of the proceedings upon which its decision is based. These documents are maintained at City Hall, located at 850 S. Madera Ave. Kerman, CA, 93630.

6. General Plan Consistency. The Planning Commission finds and recommends the City Council find that the public necessity, general welfare, good planning practices, public interest, and convenience warrant approval of General Plan Amendment 2023-03, including the following:

a. The change is consistent with the General Plan goals and policies. The project site is currently planned for residential and commercial uses. The project requests an amendment to the General Plan and Zoning Map to increase the acreage of land designated for medium density and high-density residential uses, which requires a reduction in the acreage of land designated for commercial uses. The project would facilitate future residential and commercial development within an area with existing and planned residential, commercial, recreational, and public institutional uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with General Plan Policies LU-1.4 (Limit Residential Development Along Highways), LU-1.5 (High Density

Residential Development Near Goods and Services), LU-1.6 (Agricultural Buffers), LU-3.2 (Urban Form), LU-3.3 (Prevent Sprawl Development), LU-3.4 (Leapfrog Development), LU-4.5 (Right-to-Farm Disclosure), and LU-5.4 (New Incompatible Land Uses). Therefore, the change is consistent with the General Plan goals and policies.

b. The change is consistent with the purpose of the Zoning Ordinance to preserve and promote the public health, safety and welfare of the city and to facilitate growth and expansion of the city in a precise and orderly manner. The project is currently planned for residential and commercial uses. The project requests an amendment to the General Plan to increase the acreage of land designated for medium density and high-density residential uses, which requires a reduction in the acreage of land designated for commercial uses. A rezone is also proposed to pre-zone the parcels to be annexed and rezone them to zoning districts consistent with the proposed land use designations. The proposed zoning districts are identified as compatible zoning districts for the proposed land use designations as shown in the General Plan. Future development proposed on the project site would be subject to compliance with the applicable standards and requirements of the Zoning Ordinance, standards which were adopted by the City to ensure preservation and promotion of public health, safety and welfare of the city and to facilitate growth and expansion of the city in a precise and orderly manner. Further, the project has been reviewed by the various City departments and evaluated for conformity with the requirements of the Zoning Ordinance. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with the purpose of the Zoning Ordinance.

c. There will not be significant effects upon the quality of the environment and natural resources. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, and Tentative Subdivision Map, and has prepared an Environmental Impact Report (SCH No. 2024031008) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level except for Agriculture (loss of farmland) and Hydrology (water supply). The City has carefully considered all the environmental impacts that have not been mitigated to an insignificant level and has prepared a Statement of Overriding Considerations which identifies the specific economic, legal, social, technological and other considerations that render the unavoidable significant adverse environmental effects acceptable, either in its current form or as may be modified or amended by the City.

7. Recommendations for Approval. Given that all the findings can be made, the Planning Commission recommends the City Council adopt a resolution to amend the 2040 Kerman General Plan land use designations for two (2) parcels identified as Assessor's Parcel Numbers

(APNs) 020-120-29S (24.24 acres) and 020-120-30S (24.14 acres), resulting in an increase in land designed MDR – Medium density Residential from 35.88 acres to 38 acres and HDR – High Density Residential from zero (0) to four (4) acres, and a reduction in land designated GC – General Commercial from 12.50 acres to six (6) acres, totaling approximately 48.48 acres located on the northwest corner of North Del Norte Avenue and West Whitesbridge Road (State Route 180) (General Plan Amendment 2023-03) as set forth in Exhibit 1.

8. Effective Date of Resolution. This Resolution shall become effective immediately. The Secretary of the Planning Commission shall certify the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Kerman.

I HEREBY CERTIFY that the foregoing Resolution was approved at a special meeting of the City of Kerman Planning Commission on the 16th day of December 2024, and was fully adopted at said meeting by the following vote:

Ayes: Bishop, Bandy, Malloy

Noes: None

Absent: Felker, Nehring

Recused: None

The foregoing resolution is hereby approved.

Scott Bishop, Chairperson

Attest:

Juliana Gomez
Planning Commission Secretary

RESOLUTION NO. 24-27

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL ADOPT AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF KERMAN FOR THREE (3) PARCELS IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS (APNS) 020-120-29S (24.24 ACRES), 020-120-30S (24.14 ACRES), AND 020-120-28ST (23.91 ACRES), PRE-ZONING THE PARCELS CONSISTENT WITH THE PROPOSED LAND USE DESIGNATIONS, RESULTING IN APPROXIMATELY 38 ACRES WITHIN THE SMART DEVELOPMENT COMBINING DISTRICT – RESIDENTIAL – MINIMUM 5,000 SQUARE FEET (SD-R-5.0), 10.96 ACRES WITHIN THE TWO-FAMILY RESIDENTIAL (R-2), FOUR (4) ACRES WITHIN THE MULTI-UNIT RESIDENTIAL (R-3), AND 18.95 ACRES WITHIN THE GENERAL COMMERCIAL (CG) ZONING DISTRICTS, TOTALING APPROXIMATELY 72.29 ACRES LOCATED ON THE NORTH SIDE OF WHITESBRIDGE ROAD (STATE ROUTE 180) BETWEEN NORTH SISKIYOU AVENUE AND NORTH MADERA AVENUE (REZONE 2023-04)

WHEREAS, Rezone-2023-04 pertains to three (3) parcels (APNs 020-120-29S, 020-120-30S, 020-120-28ST) consisting of approximately 72.29 acres located on the north side of Whitesbridge Road (State Route 180) between North Siskiyou Avenue and North Madera Avenue ("project site"), requesting to amend the Official Zoning Map of the City of Kerman; and

WHEREAS, the project site is located within the City of Kerman Sphere of Influence but since it is outside City limits, the site is zoned by the County and is within the County of Fresno's Agricultural Exclusive – 20 Acres (AE-20) and Limited Agricultural – 20 Acres (AL-20) zone districts; and

WHEREAS, because the project site is outside City limits, the project requires annexation and pre-zoning to a zone district consistent with the City of Kerman 2040 General Plan; and

WHEREAS, Rezone 2023-04 requests to pre-zone/rezone the three (3) parcels (APNs 020-120-29S, 020-120-30S, 020-120-28ST) to zoning districts consistent with the planned land use designations, upon approval of General Plan Amendment 2023-03; and

WHEREAS, the pre-zone/rezone would result in approximately 38 acres within the Smart Development Combining District – Residential – Minimum 5,000 Square Feet (SD-R-5.0), 10.96 acres within the Two-Family Residential (R-2), four (4) acres within the Multi-Unit Residential (R-3), and 18.95 acres within the General Commercial (GC) zoning districts as shown in Exhibit 1; and

WHEREAS, approval of the project would require approval of Rezone 2023-04, General Plan Amendment 2023-03, Annexation 2023-04, and Tentative Subdivision Map 2023-04; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, and

Tentative Subdivision Map, and has prepared an Environmental Impact Report (SCH No. 2024031008) to evaluate the proposed Project and the project is in compliance with CEQA; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission has completed its review of the Staff Report and documents submitted for the proposed project, evaluated the information contained in the EIR, and considered testimony received as a part of the public hearing process; and

WHEREAS, the Planning Commission now desires to recommend that the City Council adopt an ordinance to amend the Official Zoning Map of the City of Kerman for three (3) parcels (APNs 020-120-29S, 020-120-30S, and 020-120-28ST), pre-zoning the parcels to SD-R-5.0, R-2, R-3, and CG zoning districts, consistent with the planned land use designations, upon approval of General Plan Amendment 2023-04.

NOW, THEREFORE, be it resolved by the Planning Commission of the City of Kerman as follows.

1. Recitals. The Planning Commission hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

2. CEQA. The Planning Commission concurrently recommended certification of the EIR (SCH No. 2024031008) for the project. The EIR identified the pre-zoning of the project site. The pre-zoning does not change the environmental assessment of the EIR. Further, the Planning Commission recommended to the City Council certification of the EIR for this project. The Planning Commission further recommends findings that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the recommendation for certification that the project will have significant effect not discussed in the EIR. As such, the Planning Commission recommends the City Council find Rezone 2023-04 has already been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.

3. Rezone Findings. The Planning Commission finds, and recommends the City Council find, as follows:

a. The change is consistent with the General Plan. The project site is currently planned for residential and commercial uses. The project requests an amendment to the General Plan and Zoning Map to increase the acreage of land designated for medium density and high-density residential uses, which requires a reduction in the acreage of land designated for commercial uses. The project would facilitate future residential and commercial development within an area with existing and planned residential, commercial, recreational, and public institutional uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with General Plan Policies LU-1.4 (Limit Residential Development Along Highways), LU-1.5 (High Density Residential Development Near Goods and Services), LU-1.6 (Agricultural Buffers), LU-3.2 (Urban Form), LU-3.3 (Prevent Sprawl Development), LU-3.4 (Leapfrog Development), LU-4.5 (Right-to-Farm Disclosure), and LU-5.4 (New Incompatible Land Uses). Therefore, the change is consistent with the General Plan goals and policies.

b. The change is consistent with the purpose of the Zoning Ordinance to promote the health, safety, and welfare of the community. The project requests to pre-zone the parcels to be annexed and rezone them to zoning districts consistent with the proposed land use designations. The proposed zoning districts are identified as compatible zoning districts for the proposed land use designations as shown in the General Plan. Future development proposed on the project site would be subject to compliance with the applicable standards and requirements of the Zoning Ordinance, standards which were adopted by the City to ensure preservation and promotion of public health, safety and welfare of the city and to facilitate growth and expansion of the city in a precise and orderly manner. Further, the project has been reviewed by the various City departments and evaluated for conformity with the requirements of the Zoning Ordinance. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with the purpose of the Zoning Ordinance.

c. There will not be significant effects upon the quality of the environment and natural resources. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, and Tentative Subdivision Map, and has prepared an Environmental Impact Report (SCH No. 2024031008) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level except for Agriculture (loss of farmland) and Hydrology (water supply). The City has carefully considered all the environmental impacts that have not been mitigated to an insignificant level and has prepared a Statement of Overriding Considerations which identifies the specific economic, legal, social, technological and other considerations that

render the unavoidable significant adverse environmental effects acceptable, either in its current form or as may be modified or amended by the City.

4. Recommendation for Approval. Given that all the findings can be made, the Planning Commission recommends the City Council adopt a an ordinance to amend the official zoning map of the City of Kerman for three (3) parcels identified as Assessor's Parcel Numbers (APNs) 020-120-29S (24.24 acres), 020-120-30S (24.14 acres), and 020-120-28ST (23.91 acres), pre-zoning the parcels consistent with the proposed land use designations, resulting in approximately 38 acres within the Smart Development Combining District – Residential – minimum 5,000 square feet (SD-R-5.0), 10.96 acres within the Two-Family Residential (R-2), four (4) acres within the Multi-Unit Residential (R-3), and 18.95 acres within the General Commercial (CG) zoning districts as shown in Exhibit 1 of this resolution, totaling approximately 72.29 acres located on the north side of Whitesbridge Road (State Route 180) between North Siskiyou Avenue and North Madera Avenue (Rezone 2023-04), as set forth in Exhibit 2 of this resolution.

5. Effective Date of Resolution. This Resolution shall become effective immediately. The Secretary of the Planning Commission shall certify the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Kerman.

I HEREBY CERTIFY that the foregoing Resolution was approved at a special meeting of the City of Kerman Planning Commission on the 16th day of December 2024, and was fully adopted at said meeting by the following vote:

Ayes: Bishop, Bandy, Malloy

Noes: None

Absent: Felker, Nehring

Recused: None

The foregoing resolution is hereby approved.

Scott Bishop, Chairperson

Attest:

Juliana Gomez
Planning Commission Secretary

RESOLUTION NO. 24-28

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL ADOPT A RESOLUTION TO APPROVE THE DEL NORTE ESTATES SUBDIVISION OF TWO (2) PARCELS IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS (APNS) 020-120-29S (24.24 ACRES) AND 020-120-30S (24.14 ACRES) INTO 200 SINGLE-FAMILY LOTS RANGING IN SIZE FROM 5,000 SQUARE FEET TO 11,106 SQUARE FEET, ONE (1) MULTI-FAMILY LOT (± 3.64 ACRES), AND FOUR (4) COMMERCIAL LOTS (± 4.99 ACRES), AND FIVE (5) OUTLOTS, TOTALING APPROXIMATELY 48.38 ACRES LOCATED ON THE NORTHWEST CORNER OF NORTH DEL NORTE AVENUE AND WEST WHITESBRIDGE ROAD (STATE ROUTE 180) (TENTATIVE SUBDIVISION MAP 2023-04)

WHEREAS, the Holland Group submitted Tentative Subdivision Map 2023-04, "Del Norte Estates," pertaining to two (2) parcels (APNs 020-120-29S and 020-120-30S) consisting of approximately 48.38 acres located on the northwest corner of North Del Norte Avenue and West Whitesbridge Road (State Route 180) ("project site"); and

WHEREAS, Tentative Subdivision Map 2023-04 proposes to subdivide the 48.38 acres into 200 single-family lots, ranging in size from 5,000 square feet to 10,972 square feet, one (1) multi-family lot (± 3.64 acres), and four (4) commercial lots (± 4.99 acres) (Exhibit 1); and

WHEREAS, General Plan Amendment 2023-03, Rezone 2023-04, and Annexation 2023-04, were considered concurrently by the Planning Commission with Tentative Subdivision Map 2023-04; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, and Tentative Subdivision Map, and has prepared an Environmental Impact Report (SCH No. 2024031008) to evaluate the proposed Project and the project is in compliance with CEQA; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission completed its review of the Staff Report and documents submitted for the proposed project; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred, and the Planning Commission now desires to recommend to the City Council adoption of a resolution approving Tentative Subdivision Map 2023-04.

NOW, THEREFORE, the Planning Commission of the City of Kerman resolves as follows:

1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

1. CEQA. The Planning Commission concurrently recommended certification of the EIR (SCH No. 2024031008) for the project. The EIR identified the subdivision. The subdivision does not change the environmental assessment of the EIR. Further, the Planning Commission recommended to the City Council certification of the EIR for this project. The Planning Commission further recommends that the City Council finds that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the recommendation for certification that the project will have significant effect not discussed in the EIR. As such, the Planning Commission finds and recommends the City Council find that Rezone 2023-04 has already been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.

2. Subdivision Findings. The Planning Commission determines that none of the findings required by the City's Subdivision Ordinance and the California Subdivision Map Act Section 66474 that require the City to deny approval of a tentative map apply to this project, or that findings regarding flood protection cannot be made. To the contrary, the Planning Commission finds, and recommends the City Council find, as follows:

    a. The proposed map is consistent with the applicable General Plan, Subdivision Ordinance, and the Subdivision Map Act. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, Tentative Subdivision Map 2023-04 is consistent with all local planning documents including the General Plan, Subdivision Ordinance, and Zoning Ordinance, and the Subdivision Map Act.

    b. The design or improvement of the proposed land division is consistent with applicable general plan and specific plans. Tentative Subdivision Map 2023-04 is consistent with the intended land uses, density, and development standards outlined in the General Plan. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the subdivision is consistent with the density and land use designated by the General Plan, as well as circulation, pedestrian accessibility, and other design or improvement requirements of the General Plan. There is no specific plan applicable to the site.

    c. That the site is physically suitable for the proposed type of development. Tentative Subdivision Map 2023-04 would subdivide the two (2) parcels identified as APNs 020-120-

29S and 020-120-30S into 200 single-family lots, one (1) multi-family lot, and four (4) commercial lots to facilitate future residential and commercial uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, land characteristics, including topography, soil conditions, drainage patterns, ingress/egress and access points, and utility availability are appropriate and can accommodate future development without significant challenges or modifications.

d. That the site is physically suitable for the proposed density of development. Tentative Subdivision Map 2023-04 would subdivide the two (2) parcels identified as APNs 020-120-29S and 020-120-30S into 200 single-family lots, one (1) multi-family lot, and four (4) commercial lots. The lot areas conform to the standards of development as defined by the Zoning Ordinance for the applicable development zone districts. Future development would be subject to compliance with applicable development standards, including allowable density and intensity. Compliance with these standards would be ensured through the entitlement review process.

e. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife, or their habitat. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, and Tentative Subdivision Map, and has prepared an Environmental Impact Report (SCH No. 2024031008) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level except for Agriculture (loss of farmland) and Hydrology (water supply). The City has carefully considered all the environmental impacts that have not been mitigated to an insignificant level and has prepared a Statement of Overriding Considerations which identifies the specific economic, legal, social, technological and other considerations that render the unavoidable significant adverse environmental effects acceptable, either in its current form or as may be modified or amended by the City.

f. The design of the subdivision and the type of improvements being required are not likely to cause serious public health problems. All improvements shall be required by the City and shall include sewer, water, underground power, telephone, gas, concrete curbs, gutters, sidewalks, permanent street pavement, and streetlights. The project will be tied into existing municipal water, sewer, and storm drain systems through the extension of existing systems. A sanitary sewer service would be provided through connections to existing services in North Del Norte Avenue. Domestic water service will be provided through an existing 12-inch line located near Whitesbridge Road and Del Norte Avenue and Sapphire Avenue. Sewer and water lines will connect to each lot throughout the site.

Associated electric, natural gas, and related infrastructure is available and will serve the project site as needed. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the design of the subdivision and type of improvements being required are not likely to cause serious public health problems.

g. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. Development of the project will include the continuation of a Fresno Irrigation District (FID) water line easement that is also used as a pedestrian trail. The project will incorporate a 25-foot-wide FID easement and pedestrian trail from Isabella Drive northbound to the northwest limit of Del Norte Estates. In addition to this easement, the City has required an addition 25-foot-wide trail easement that will connect to the FID easement and continue along the northern boundary of the subdivision and connect the pedestrian trail to Del Norte Avenue (Outlot A and Outlot B) as shown on the Tentative Subdivision Map. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision.

h. That the proposed design provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision pursuant to Government Code Section 66473.1. As feasible, the project has attempted to take advantage of passive or natural cooling opportunities in subdivision design. Appropriate consideration was given to the local climate, while ensuring that heating and cooling opportunities did not result in the reduction of allowable densities or the percentage of a lot that may be occupied as contemplated by Government Code Section 66473.1.

3. Approval with Conditions. Based on the aforementioned findings, the Planning Commission recommends the City Council to adopt a resolution to approve Tentative Subdivision Map 2023-04 (Exhibit '1'), subject to the conditions set forth in Exhibit '2' (Tentative Subdivision Map 2023-04 conditions of approval) attached hereto.

4. Effective Date of Resolution. This Resolution shall become effective immediately. The Secretary of the Planning Commission shall certify to the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Kerman

I HEREBY CERTIFY that the foregoing Resolution was approved at a special meeting of the City of Kerman Planning Commission on the 16th day of December 2024, and was fully adopted at said meeting by the following vote:

Ayes: Bishop, Bandy, Malloy

Noes: None

Absent: Felker, Nehring

Recused: None

The foregoing resolution is hereby approved.

Scott Bishop, Chairperson

Attest:

Juliana Gomez
Planning Commission Secretary

RESOLUTION NO. 24-29

A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL ADOPT A RESOLUTION TO INITIATE ANNEXATION OF THREE (3) PARCELS IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS (APNS) 020-120-29S (24.24 ACRES), 020-120-30S (24.14 ACRES) AND 020-120-28ST (23.91 ACRES), TOTALING APPROXIMATELY 72.29 ACRES LOCATED ON THE NORTH SIDE OF WHITESBRIDGE ROAD (STATE ROUTE 180) BETWEEN NORTH SISKIYOU AVENUE AND NORTH MADERA AVENUE (ANNEXATION 2023-04)

WHEREAS, the City of Kerman desires to initiate proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code; and

WHEREAS, Government Code section 56654 provides that "[a] proposal for a change of organization or a reorganization may be made by the adoption of a resolution of application by the legislative body of an affected local agency . . . [;]" and

WHEREAS, the specific changes of organization requested consists of an annexation into the City of Kerman and detachment from the County of Fresno and a reorganization from the Kings River Conservation District into the Fresno Irrigation District of the parcels identified as APNs 020-120-29S, 020-120-30S, and 020-120-28ST ("project site"); and

WHEREAS, within the project site, APNs 020-120-29S and 020-120-30S site are currently in Agricultural Preserve Contract (Williamson Act) Nos. AP 8116 and AP-8119 (APN 020-160-29S);

WHEREAS, the City will not succeed to the rights, duties, and powers of the County under the Williamson Act for APNs 020-120-29S and 020-120-30S, as allowed under California Government Code 51243.5, and meeting all the criteria under Subsection (d)/(e); and

WHEREAS, a map of the boundaries of the territory is set forth in Exhibit '1' attached hereto and by this reference incorporated herein; and

WHEREAS, the affected territory proposed to be changed is inhabited, and on this day contains 1 registered voter, according to information received from the County Elections Office; and

WHEREAS, the proposed annexation area is inside the Sphere of Influence of the City of Kerman; and

WHEREAS, the City has an agreement with the County of Fresno to comply with Revenue and Tax Code Section 99 regarding property tax revenue transfer upon annexation, which memorandum of understanding includes standards of annexations; and

WHEREAS, the City does not propose any specific term and conditions for the proposed reorganization; and

WHEREAS, the reasons for this proposed annexation is to facilitate future residential, commercial, and public institutional development; and

WHEREAS, approval of the project would require approval of Annexation 2023-04, Rezone 2023-04, General Plan Amendment 2023-03, and Tentative Subdivision Map 2023-04; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, and Tentative Subdivision Map, and has prepared an Environmental Impact Report (SCH No. 2024031008) to evaluate the proposed Project and the project is in compliance with CEQA; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission completed its review of the Staff Report and documents submitted for the proposed project; and

WHEREAS, all prerequisites for the initiation of proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, have been met; and

WHEREAS, after due consideration of all the items before it, the Planning Commission now desires to adopt this Resolution to recommend the City Council to adopt a resolution to initiate annexation proceedings for the affected territory as set forth in Exhibit 1.

NOW, THEREFORE, Planning Commission of the City of Kerman resolves as follows:

1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

2. CEQA. The Planning Commission concurrently recommended certification of the EIR (SCH No. 2024031008) for the project. The EIR identified the annexation of the project site. The annexation does not change the environmental assessment of the EIR. Further, the Planning Commission recommended to the City Council certification of the EIR for this project. The Planning Commission further recommend the City Council find that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken

which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the recommendation for certification that the project will have significant effect not discussed in the EIR. As such, the Planning Commission recommends the City Council find Rezone 2023-04 has already been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.

3. General Plan Consistency. The Planning Commission finds that the annexation is consistent with the goals, objectives, and policies of the City of Kerman 2040 General Plan, as amended by General Plan Amendment 2023-03. In this regard, the Planning Commission finds that public necessity, convenience, general welfare, or good zoning practices justify annexation of the project site. Specifically, the annexation and pre-zoning change is consistent with the General Plan goals and policies, any operative plan, or adopted policy including LU-3.2 Urban Form; LU-3.3 Prevent Sprawl Development; and LU-3.4 Leapfrog Development as described below and implements the planned residential and commercial land uses for the project site.

   a. General Plan Policy LU-3.2 Urban Form: The project site is outside City limits but is within the City's Sphere of Influence. The project requires annexation and therefore would result in a change in City limits. The project as proposed would meet the considerations of General Plan Policy LU-3.2 Urban Form. Specifically, the project would facilitate future residential units which would help meet the city's residential housing needs such as affordable housing or a desire for a wider and more diverse range of housing. The project would also facilitate future open space (multi-family development), recreational facilities (pedestrian trail), and schools (KUSD facility), meeting several community needs. The project would not result in obstacles to growth because future development would be able to connect to City services. The project would also result in infrastructure improvements, including roadway and circulation improvements. Although the project site is subject to the Williamson Act, non-renewal and cancellation efforts are underway concurrently. Lastly, the project would facilitate future commercial uses which would serve the city's economic development needs. Based on these considerations, the project as proposed maintains growth management controls and is consistent with General Plan Policy LU-3.2.

   b. General Plan Policy LU-3.3 Prevent Sprawl Development: The project site is contiguous to existing and approved development within City Limits. Thus, the project does not encourage sprawl and is therefore consistent with General Plan Policy LU-3-3.

   c. General Plan Policy LU-3.4 Leapfrog Development: The project site is contiguous to existing urban development and thus would not constitute leapfrog development.

4. Findings for Annexation. The Planning Commission further finds, and recommends the City Council find, as follows:

   a. The proposed annexation is within the City's adopted Sphere of Influence. The project site is outside City limits but is within the City's Sphere of Influence. The project requires annexation and therefore would result in a change in City limits. The project as proposed would meet the considerations of General Plan Policy LU-3.2 Urban Form, which sets the City's growth management control measures. Specifically, the project would facilitate future residential units which would help meet the city's residential housing needs such as affordable housing or a desire for a wider and more diverse range of housing. The project would also facilitate future open space (multi-family development), recreational facilities (pedestrian trail), and schools (KUSD facility), meeting several community needs. The project would not result in obstacles to growth because future development would be able to connect to City services. The project would also result in infrastructure improvements, including roadway and circulation improvements. Although the project site is subject to the Williamson Act, non-renewal and cancellation efforts are underway concurrently. Lastly, the project would facilitate future commercial uses which would serve the city's economic development needs. Based on these considerations, the project as proposed maintains growth management controls and is consistent with General Plan Policy LU-3.2.

   b. The proposal is consistent with city general and specific plans, including adopted goals and policies. The project would facilitate future residential and commercial development within an area with existing and planned residential, commercial, recreational, and public institutional uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with General Plan Policies LU-1.4 (Limit Residential Development Along Highways), LU-1.5 (High Density Residential Development Near Goods and Services), LU-1.6 (Agricultural Buffers), LU-3.2 (Urban Form), LU-3.3 (Prevent Sprawl Development), LU-3.4 (Leapfrog Development), LU-4.5 (Right-to-Farm Disclosure), and LU-5.4 (New Incompatible Land Uses). There are no specific plans applicable to the proposed project.

   c. Pursuant to CEQA, the proposal mitigates any significant adverse effect on continuing agricultural operations on adjacent properties, to the extent reasonable and consistent with the applicable general and specific plan. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, and Tentative Subdivision Map, and has prepared an Environmental Impact Report (SCH No. 2024031008) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level except for Agriculture (loss of farmland) and Hydrology (water

supply). The City has carefully considered all the environmental impacts that have not been mitigated to an insignificant level and has prepared a Statement of Overriding Considerations which identifies the specific economic, legal, social, technological and other considerations that render the unavoidable significant adverse environmental effects acceptable, either in its current form or as may be modified or amended by the City.

d. At least 25% of the area proposed for annexation has an approved tentative subdivision map(s) (single-family residential) and an approved site plan (for uses besides single-family). The proposed annexation would meet this condition whereby at least 25% of the proposed annexation area will include an approved tentative map for single-family residential, multi-family, and commercial uses.

e. The annexation is to fulfill the city's Regional Housing Needs Allocation (RHNA) obligation which otherwise cannot be accommodated on lands currently within the city's incorporated boundary. The project would facilitate future residential uses, including single-family and multi-family, which would assist the City with fulfilling the city's RHNA obligation within the City's 6th Cycle Housing Element Update.

f. The proposal would not create islands. Boundaries must ultimately minimize creation of peninsulas and corridors, or other distortion of boundaries. The proposed annexation area would not create islands. New boundaries would not create any peninsulas or corridors.

5. Approval of Initiation of Reorganization. Based on the information provided above, the Planning Commission recommends the City Council of the City of Kerman approve a resolution to initiate annexation and reorganization of the project site that is not within the City limits, by adopting a resolution of application requesting the Local Agency Formation Commission of Fresno County to initiate proceedings for the change of organization of territory as described in Exhibit '1', in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The Planning Commission recommends that the City Council authorize and direct the City Manager to take all necessary steps to effectuate and initiate such reorganization proceedings, and to support Developer's processing of the same at Developer's sole cost and expense.

6. Effective Date of Resolution. This Resolution shall become effective immediately. The Secretary of the Planning Commission shall certify the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Kerman.

I HEREBY CERTIFY that the foregoing Resolution was approved at a special meeting of the City of Kerman Planning Commission on the 16th day of December 2024, and was fully adopted at said meeting by the following vote:

Ayes: Bishop, Bandy, Malloy

Noes: None

Absent: Felker, Nehring

Recused: None

The foregoing resolution is hereby approved.

Scott Bishop, Chairperson

Attest:

Juliana Gomez
Planning Commission Secretary

ATTACHMENT 'G'

RESOLUTION NO. 25-__

A RESOLUTION OF THE CITY COUNCIL (1) ADOPTING THE FINDINGS REQUIRED BY CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES, SECTION 15091; (2) CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (SCH NO. 2024031008); (3) ADOPTING THE PROPOSED MITIGATION MONITORING AND REPORTING PROGRAM; (4) ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, PURSUANT TO THE CEQA (ENV 2023-08); AND (5) APPROVING GENERAL PLAN AMENDMENT 2023-03 TO AMEND THE 2040 KERMAN GENERAL PLAN PLANNED LAND USE DESIGNATIONS FOR ASSESSOR'S PARCEL NUMBERS (APNS) 020-120-29S (24.24 ACRES) AND 020-120-30S (24.14), TO MDR – MEDIUM DENSITY RESIDENTIAL AND HDR – HIGH DENSITY RESIDENTIAL, WITH A CORRESPONDING REDUCTION IN LAND DESIGNATED GC – GENERAL COMMERCIAL (NORTHWEST CORNER OF NORTH DEL NORTE AVENUE AND WEST WHITESBRIDGE ROAD (STATE ROUTE 180)

WHEREAS, State Law requires that local agencies adopt General Plans containing specific mandatory elements; and

WHEREAS, the City of Kerman has adopted a Comprehensive General Plan Update and Environmental Impact Report in July 2020, and the City of Kerman is currently in compliance with State mandates relative to Elements of the General Plan; and

WHEREAS, State law also provides for periodic review, updates, and amendments of its various plans; and

WHEREAS, an application was filed by the Holland Group pertaining to two (2) parcels (APNs 020-120-29S and 020-120-30S) consisting of approximately 48.38 acres located on the northwest corner of North Del Norte Avenue and West Whitesbridge Road (State Route 180) ("project site"), requesting to amend the 2040 Kerman General Plan through General Plan Amendment 2023-03; and

WHEREAS, the project site has a City of Kerman 2040 General Plan land use designation of MDR – Medium Density Residential (± 35.88 acres) and GC – General Commercial (± 12.50 acres); and

WHEREAS, General Plan Amendment 2023-03 requests to increase land designated MDR – Medium Density Residential from 35.88 acres to 38 acres, increase HDR – High Density Residential from zero acres to four (4) acres, and reduce GC – General Commercial from 12.50 acres to six (6) acres, representing an increase in acreages of MDR and HDR land use designations, and decrease in acreage of the GC land use designation as shown in Exhibit 1; and

WHEREAS, approval of the project would require approval of General Plan Amendment 2023-03, Rezone 2023-04, Annexation 2023-04, and Tentative Subdivision Map 2023-04; and

WHEREAS, the proposed General Plan Amendment will be consistent with the General Plan and the underlying zoning district, as proposed by Rezone 2023-04; and

WHEREAS, the proposed General Plan Amendment is not expected to be detrimental to the health, safety and welfare of the city; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City of Kerman ("City") as the Lead Agency, has analyzed the proposed Project (including all three parcels to be annexed), including the General Plan Amendment, Rezone, Annexation, and Tentative Subdivision Map, and has prepared an Environmental Impact Report (SCH No. 2024031008) ("EIR") to evaluate the project; and

WHEREAS, in compliance with CEQA Section 21080.4, a Notice of Preparation ("NOP") was prepared by the City and distributed for public comment to the State Clearinghouse, responsible agencies, and other interested parties for a 30-day public review and comment period commencing on March 27, 2024, after which a public scoping meeting was held during the NOP review period on April 3, 2024; and,

WHEREAS, the Draft EIR was circulated for a 45-day public review and comment period commencing on September 11, 2024 to October 26, 2024, which was subsequently extended to December 9, 2024, and a copy of the Draft EIR was circulated through the State Clearinghouse, posted on the City's website, and was available at City Hall; and

WHEREAS, the public review period for the Draft EIR ended on December 9, 2024; and

WHEREAS, a Final EIR was prepared on the proposed Project consistent with CEQA Guidelines Section 15088(b), which addressed comments received on the DEIR, responses to those comments, as well as any appropriate revisions and clarifications to the Draft EIR; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission completed its review of the Staff Report and documents submitted for the proposed project at a special meeting on December 16, 2024, and adopted a resolution with a recommendation to the City Council to approve General Plan Amendment 2023-03 and certify the EIR; and

WHEREAS, with all requirements having been met, the City Council now desires to approve General Plan Amendment 2023-03 and certify the EIR; and

NOW THEREFORE, be it resolved by the City Council of the City of Kerman as follows:

1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

2. EIR Contents. The EIR consists of the following, hereafter collectively referred to as the "EIR".

    a. The Final EIR including any attached appendices.
    b. The Draft EIR including attached appendices.

c. The Notice of Preparation and comments received in response to the notice.
d. The Mitigation Monitoring and Reporting Program.
e. Findings of Fact and Statement of Overriding Considerations.
f. Additions and corrections to the remaining portions of the Draft EIR that have been made pursuant to public comments received on the Draft EIR with responses to each comment made.
g. The Notice of Completion and Notice of Availability of the Draft EIR for public review.
h. Any other information added by the Lead Agency.

3. Certification of Compliance with CEQA. The City Council does hereby find that the EIR, including the Findings of Fact, the Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program, has been prepared in accordance with the requirements of CEQA and the CEQA Guidelines.

4. EIR Certification. The City Council does hereby approve, certify, and adopt the following.

   a. Adopt Findings of Fact. The City Council hereby approves, accepts as it is shown, incorporates as if set forth in full herein, and makes each and every one of the findings contained in the Findings of Fact as set forth in **Exhibit '4'.**

   b. Certify Environmental Impact Report. The City Council hereby certifies that 1) the EIR has been completed in compliance with CEQA, 2) that it has reviewed and considered the information contained in the EIR prior to approving the project, and 3) that the EIR reflects the City Council's independent judgment and analysis.

   c. Find Feasible and Binding Effect of Mitigation Monitoring and Reporting Program. As more fully identified and set forth in the Findings of Fact and EIR for this project, the City Council hereby finds that the mitigation measures described and specifically identified in the above referenced documents are feasible and shall become binding upon the entity (such as the project proponent or the City) assigned thereby to implement the particular mitigation measures as identified in the Mitigation Monitoring and Reporting Program.

   d. Adopt Statement of Overriding Considerations. Even after the adoption of all feasible mitigation measures, certain significant or potentially significant environmental effects caused by the proposed modified project directly, or cumulatively, will remain. The proposed project has been carefully reviewed and the policies included in the proposed project along with the mitigation measures identified in the EIR have avoided or substantially lessened several environmental impacts, to the extent feasible. Nonetheless, the proposed project may have certain environmental effects which cannot be avoided or substantially lessened. The City has carefully considered all of the environmental impacts that have not been mitigated to an insignificant level. Therefore, the City Council hereby issues and approves a Statement of Overriding Considerations as set forth in Exhibit 4 which identifies the specific economic, legal, social, technological and other considerations that render the unavoidable significant

adverse environmental effects acceptable, either in its current form or as may be modified or amended by the City Council.

e. Adopt Mitigation Monitoring and Reporting Program. As required by applicable State law, the City Council hereby adopts the Mitigation Monitoring and Reporting Program set forth in Exhibit 3 of this Resolution. The City Council finds that the Mitigation Monitoring and Reporting Program is designed to ensure that, during project implementation, the City and any other responsible parties implement the project components and comply with the mitigation measures identified in the Findings of Fact and the Mitigation Monitoring and Reporting Program.

5. Custodian of Records. The City Clerk is recommended as the designated custodian of records for documents comprising the record of the proceedings upon which its decision is based. These documents are maintained at City Hall, located at 850 S. Madera Ave. Kerman, CA, 93630.

6. General Plan Consistency. The City Council finds that the public necessity, general welfare, good planning practices, public interest, and convenience warrant approval of General Plan Amendment 2023-03, including the following:

a. The change is consistent with the General Plan goals and policies. The project site is currently planned for residential and commercial uses. The project requests an amendment to the General Plan and Zoning Map to increase the acreage of land designated for medium density and high-density residential uses, which requires a reduction in the acreage of land designated for commercial uses. The project would facilitate future residential and commercial development within an area with existing and planned residential, commercial, recreational, and public institutional uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with General Plan Policies LU-1.4 (Limit Residential Development Along Highways), LU-1.5 (High Density Residential Development Near Goods and Services), LU-1.6 (Agricultural Buffers), LU-3.2 (Urban Form), LU-3.3 (Prevent Sprawl Development), LU-3.4 (Leapfrog Development), LU-4.5 (Right-to-Farm Disclosure), and LU-5.4 (New Incompatible Land Uses). Therefore, the change is consistent with the General Plan goals and policies.

b. The change is consistent with the purpose of the Zoning Ordinance to preserve and promote the public health, safety and welfare of the city and to facilitate growth and expansion of the city in a precise and orderly manner. The project is currently planned for residential and commercial uses. The project requests an amendment to the General Plan to increase the acreage of land designated for medium density and high-density residential uses, which requires a reduction in the acreage of land designated for commercial uses. A rezone is also proposed to pre-zone the parcels to be annexed and rezone them to zoning districts consistent with the proposed land use designations. The proposed zoning districts are identified as compatible zoning districts for the proposed land use designations as shown in the General Plan. Future development proposed on the project site would be subject to compliance with the applicable standards and

requirements of the Zoning Ordinance, standards which were adopted by the City to ensure preservation and promotion of public health, safety and welfare of the city and to facilitate growth and expansion of the city in a precise and orderly manner. Further, the project has been reviewed by the various City departments and evaluated for conformity with the requirements of the Zoning Ordinance. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with the purpose of the Zoning Ordinance.

c. There will not be significant effects upon the quality of the environment and natural resources. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, and Tentative Subdivision Map, and has prepared an Environmental Impact Report (SCH No. 2024031008) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level except for Agriculture (loss of farmland) and Hydrology (water supply). The City has carefully considered all the environmental impacts that have not been mitigated to an insignificant level and has prepared a Statement of Overriding Considerations which identifies the specific economic, legal, social, technological and other considerations that render the unavoidable significant adverse environmental effects acceptable, either in its current form or as may be modified or amended by the City.

7. Approval of General Plan Amendment 2023-03. Given that all the findings can be made, the City Council adopts a resolution to amend the 2040 Kerman General Plan land use designations for two (2) parcels identified as Assessor's Parcel Numbers (APNs) 020-120-29S (24.24 acres) and 020-120-30S (24.14 acres), resulting in an increase in land designed MDR – Medium density Residential from 35.88 acres to 38 acres and HDR – High Density Residential from zero (0) to four (4) acres, and a reduction in land designated GC – General Commercial from 12.50 acres to six (6) acres, totaling approximately 48.48 acres located on the northwest corner of North Del Norte Avenue and West Whitesbridge Road (State Route 180) (General Plan Amendment 2023-03) as set forth in **Exhibit '1'**.

8. Effective Date of Resolution. This resolution shall become effective immediately. The City Clerk shall certify the adoption of the resolution and shall transmit copies of the same to the City Council of the City of Kerman.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting on the 22nd day of January 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

_____
Maria Pacheco
Mayor

ATTEST:

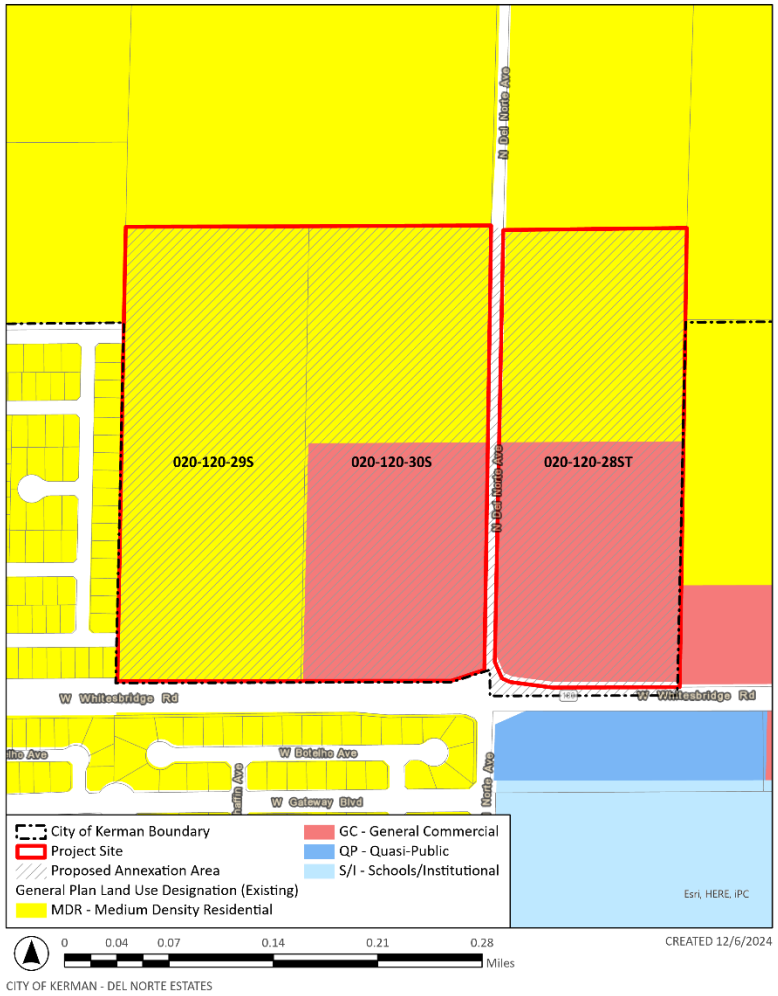
_____
Josie Camacho
City Clerk

Exhibit ‘1’: General Plan Amendment 2023-01
Exhibit ‘2’: Environmental Assessment 2023-01
Exhibit ‘3’: Mitigation Monitoring and Reporting Program
Exhibit ‘4’: Statement of Overriding Considerations and Findings of Fact

Exhibit ‘1’

General Plan Amendment 2023-03

Prior General Plan Land Use Designation



New General Plan Land Use Designation

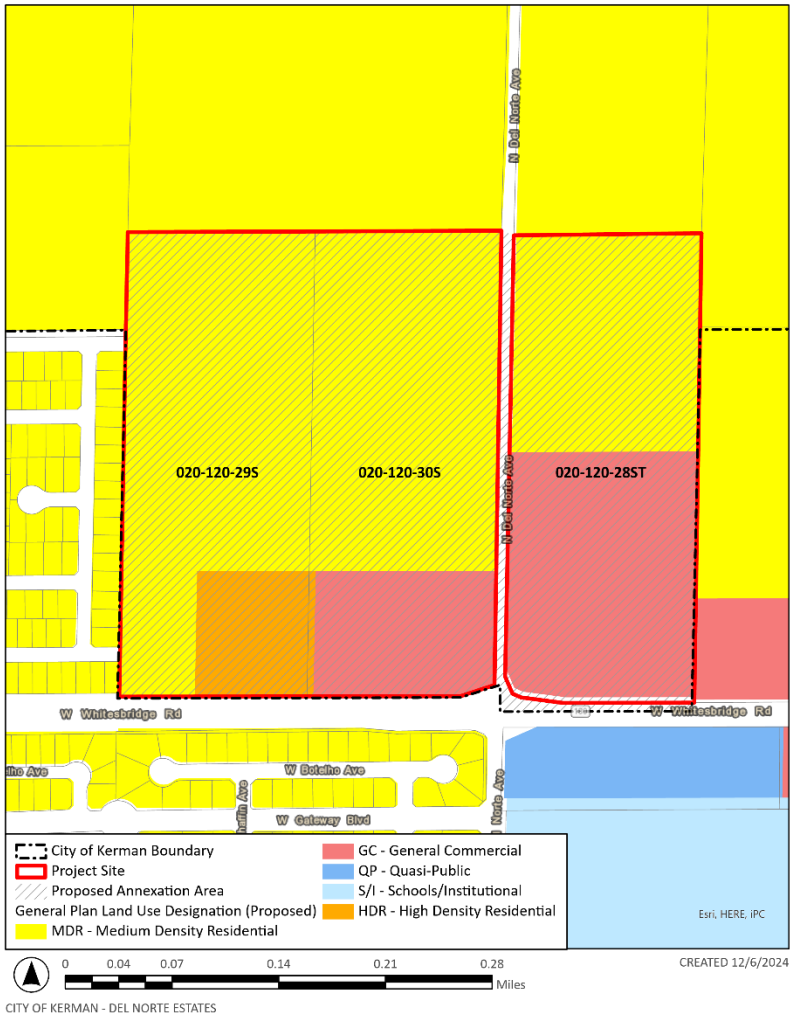


Exhibit ‘2’

Environmental Impact Report (Environmental Assessment 2023-08)

The Environmental Impact Report (Environmental Assessment 2023-08) is posted on the City’s Website under the Community Development Department, Planning Division, Planning Projects, 2024 Projects webpage at https://www.cityofkerman.net/175/Planning-Projects, and is available at the City Clerk’s office at 850 S. Madera Avenue, Kerman, CA 93630.

Exhibit '3'

Mitigation Monitoring and Reporting Program

State law requires that the City of Kerman (Lead Agency) adopt a monitoring program for mitigation measures that have been incorporated into the approved project to reduce or avoid significant effects on the environment. The purpose of the monitoring program is to ensure compliance with environmental mitigation during project implementation and operation. Since there are potentially significant impacts requiring mitigation associated with the Del Norte Estates Project, a Mitigation Monitoring Program is included herein on the following pages.

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Agricultural and Forestry Resources				
AG-1: Reduce Conflicts Between Urban and Agricultural Uses In order to reduce potential conflicts between urban and agricultural uses, the following measures shall be implemented: • Potential residents shall be notified about possible exposure to agricultural chemicals at the time of purchase / lease of property within the development. • A Right-to-Farm Covenant shall be recorded on each residential tract map or be made a condition of each tract map to protect continued agricultural practices in the area. • Potential residents shall be informed of the Right-to-Farm Covenant at the time of purchase / lease of property within the development.	Project Applicant	Prior to issuance of grading or building permits	City of Kerman	
Biological Resources				
BIO-1: Protect Nesting Birds and Raptors Prior to ground disturbance or construction activities, the following measures shall be implemented: *(Construction Timing).* If feasible, the project will be implemented outside of the avian nesting season, typically defined as February 1 to August 31. *(Preconstruction Surveys*). If construction must occur between February 1 and August 31, a qualified biologist will conduct pre-construction surveys for active bird nests within 10 days prior to the start of construction. The survey area will encompass the site and accessible	Project Applicant	Prior to issuance of grading or building permits	City of Kerman and CDFW	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
surrounding lands within ½ mile for nesting Swainson's hawks, 500 feet for other nesting raptors (i.e., birds of prey), and 250 feet for nesting migratory birds. *(Avoidance of Active Nests*). Should any active nests be discovered in or near proposed construction zones, the biologist will identify a suitable construction-free buffer around the nest. This buffer will be identified on the ground with flagging or fencing and will be maintained until the biologist has determined that the young have fledged and are capable of foraging independently.				
Cultural Resources				
CUL – 1: In the event that historical or archaeological cultural resources are discovered during project construction-related activities, operations shall stop within 100 feet of the find, and a qualified archeologist shall determine whether the resource requires further study. The qualified archaeologist shall determine the measures that shall be implemented to protect the discovered resources including, but not limited to, excavation of the finds and evaluation of the finds in accordance with § 15064.5 of the CEQA Guidelines. Measures may include, but are not limited to, avoidance, preservation in-place, recordation, additional archaeological resting, and data recovery, among other options. Any previously undiscovered resources found during project-related activities within the project area shall be recorded on appropriate Department of Parks and Recreation forms and evaluated for significance. No further ground disturbance shall occur in the immediate vicinity of the discovery until approved by the qualified archaeologist.	Project Applicant	Prior to issuance of grading or building permits / ongoing	City of Kerman	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
The Lead Agency, along with other relevant or tribal officials, shall be contacted upon the discovery of cultural resources to begin coordination on the disposition of the find(s). Treatment of any significant cultural resources shall be undertaken with the approval of the Lead Agency.				
CUL – 2: In order to ensure that the proposed Project does not impact buried human remains during Project construction, the Project proponent shall be responsible for on-going monitoring of Project construction. Prior to the issuance of any grading permit, the Project proponent shall provide the City with documentation identifying construction personnel that will be responsible for on-site monitoring. If buried human remains are encountered during construction, further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall be halted until the Fresno County coroner is contacted and the coroner has made the determinations and notifications required pursuant to Health and Safety Code Section 7050.5. If the coroner determines that Health and Safety Code Section 7050.5(c) require that he give notice to the Native American Heritage Commission, then such notice shall be given within 24 hours, as required by Health and Safety Code Section 7050.5(c). In that event, the NAHC will conduct the notifications required by Public Resources Code Section 5097.98. Until the consultations described below have been completed, the landowner shall further ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices where Native American human remains are located, is not disturbed by further development activity until the landowner has discussed and conferred with the Most Likely Descendants on all reasonable options regarding the descendants' preferences and treatments, as prescribed by Public Resources Code	Project Applicant	During construction	City of Kerman	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Section 5097.98(b). The NAHC will mediate any disputes regarding treatment of remains in accordance with Public Resources Code Section 5097.94(k). The landowner shall be entitled to exercise rights established by Public Resources Code Section 5097.98(e) if any of the circumstances established by that provision become applicable.				
Geology and Soils				
GEO – 1 In order to reduce on-site erosion due to project construction and operation, an erosion control plan and Storm Water Pollution Prevention Plan (SWPPP) shall be prepared for the site preparation, construction, and post-construction periods by a registered civil engineer or certified professional. The erosion control plan shall incorporate best management practices consistent with the requirements of the National Pollution Discharge Elimination System (NPDES). The erosion component of the plan must at least meet the requirements of the SWPPP required by the Central Valley RWQCB. If earth disturbing activities are proposed between October 15 and April 15, these activities shall be limited to the extent feasible to minimize potential erosion related impacts. Additional erosion control measures may be implemented in consultation with the City of Kerman. Prior to the issuance of any permit, the Project proponent shall submit detailed plans to the satisfaction of the City of Kerman. The components of the erosion control plan and SWPPP shall be monitored for effectiveness by the City of Kerman. Erosion control measures may include, but not be limited to, the following: • Limit disturbance of soils and vegetation disturbance removal to the minimum area necessary for access and construction;	Project Applicant	Prior to issuance of grading or building permits	City of Kerman	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
• Confine all vehicular traffic associated with construction to the right-of-way of designated access roads; • Adhere to construction schedules designed to avoid periods of heavy precipitation or high winds; • Ensure that all exposed soil is provided with temporary drainage and soil protection when construction activity is shut down during the winter periods; and • Inform construction personnel prior to construction and periodically during construction activities of environmental concerns, pertinent laws and regulations, and elements of the proposed erosion control measures.				
Hazards and Hazardous Materials				
HAZ-1 Prior to the issuance of grading or building permits, the Project proponent shall conduct a subsurface investigation of the Project site to evaluate the potential for residual concentrations above established thresholds of agricultural chemicals on the site. If remedial action is required, the Project will be responsible for cleanup and any remedial actions in accordance with current rules, regulations and guidelines. Evidence of compliance shall be submitted to the City of Kerman Community Development Department.	Project Applicant	Prior to issuance of grading or building permits	City of Kerman	
HAZ – 2 Prior to the issuance of grading or building permits, the Project proponent or contractor shall properly dispose of the following: existing gasoline and diesel aboveground storage tanks; existing water well; and existing septic system on site in accordance with current rules, regulations and guidelines. Evidence of compliance shall be submitted to the City of Kerman Community Development Department.	Project Applicant	During construction	City of Kerman	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
Noise				
NOI - 1: Noise levels from new commercial stationary noise sources may be effectively mitigated by incorporating appropriate noise mitigation measures into the project design that consider the geographical relationship between the noise sources of concern and potential receptors, the noise-producing characteristics of the sources and the path of transmission between noise sources and sensitive receptors. When specific uses within the study area are proposed that could result in a noise-related conflict between a commercial or other stationary noise source and existing or proposed noise-sensitive receptor, an acoustical analysis shall be required by the City that quantifies project-related noise levels and recommends appropriate mitigation measures to achieve compliance with the City's noise standards.	Project Applicant	Prior to issuance of grading or building permits	City of Kerman	
NOI - 2: Noise levels from transportation noise sources may be effectively mitigated by incorporating noise mitigation measures into the project design that consider the geographical relationship between the noise sources of concern and potential receptors, the noise-producing characteristics of the sources and the path of transmission between noise sources and sensitive receptors. The calculations indicated that a sound wall along W. Whitesbridge Avenue (at the residential lots adjacent to the roadway) shall be constructed to a minimum height of seven-and-a-half (7.5) feet above project site grade, which would result in exterior noise levels of approximately 59 dB Ldn within the closest proposed backyards to W. Whitesbridge Avenue. It should be noted that the sound wall would be effective at first-floor receiver locations only. Second story residential buildings are prohibited for properties abutting Whitesbridge Avenue unless a sound study is provided to the City of Kerman demonstrating that the proposed design will not result in noise	Project Applicant	Prior to issuance of grading or building permits	City of Kerman	

Mitigation Measure	Party responsible for Implementing Mitigation	Timing	Party responsible for Monitoring	Verification (name/ date)
impacts exceeding 60 dB Ldn at any second-floor balconies facing the roadway. Evidence of compliance shall be submitted to the City of Kerman Community Development Department.				
NOI - 3: The project shall implement the following measures pertaining to construction noise: • Per the City of Kerman Code of Ordinances, construction activities shall not occur outside the hours of 7:00 a.m. to 10:00 p.m. unless otherwise authorized by the Code of Ordinances. • All construction equipment shall be properly maintained and muffled as to minimize noise generation at the source. • Noise-producing equipment shall not be operating, running, or idling while not in immediate use by a construction contractor. • All noise-producing construction equipment shall be located and operated, to the extent possible, at the greatest possible distance from any noise-sensitive land uses. • Locate construction staging areas, to the extent possible, at the greatest possible distances from any noise-sensitive land uses. • Signs shall be posted at the construction site and near adjacent sensitive receptors displaying hours of construction activities and providing a contact phone number of a designated noise disturbance coordinator.	Project Applicant	During construction	City of Kerman and contractor	

Exhibit ‘4’

Findings of Fact and Statement of Overriding Considerations

The Findings of Fact and Statement of Overriding Consideration for Environmental Impact Report (Environmental Assessment 2023-08) are posted on the City’s Website under the Community Development Department, Planning Division, Planning Projects, 2024 Projects webpage at https://www.cityofkerman.net/175/Planning-Projects, and is available at the City Clerk’s office at 850 S. Madera Avenue, Kerman, CA 93630.

Attachment 'H'

ORDINANCE NO. 25-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING REZONE 2023-04 TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF KERMAN FOR THREE (3) PARCELS IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS (APNS) 020-120-29S (24.24 ACRES), 020-120-30S (24.14 ACRES), AND 020-120-28ST (23.91 ACRES), PRE-ZONING THE PARCELS CONSISTENT WITH THE PROPOSED LAND USE DESIGNATIONS, RESULTING IN APPROXIMATELY 38 ACRES WITHIN THE SMART DEVELOPMENT COMBINING DISTRICT – RESIDENTIAL – MINIMUM 5,000 SQUARE FEET (SD-R-5.0), 10.96 ACRES WITHIN THE TWO-FAMILY RESIDENTIAL (R-2), FOUR (4) ACRES WITHIN THE MULTI-UNIT RESIDENTIAL (R-3), AND 18.95 ACRES WITHIN THE GENERAL COMMERCIAL (CG) ZONING DISTRICTS, TOTALING APPROXIMATELY 72.29 ACRES LOCATED ON THE NORTH SIDE OF WHITESBRIDGE ROAD (STATE ROUTE 180) BETWEEN NORTH SISKIYOU AVENUE AND NORTH MADERA AVENUE

WHEREAS, Rezone-2023-04 pertains to three (3) parcels (APNs 020-120-29S, 020-120-30S, 020-120-28ST) consisting of approximately 72.29 acres located on the north side of Whitesbridge Road (State Route 180) between North Siskiyou Avenue and North Madera Avenue ("project site"), requesting to amend the Official Zoning Map of the City of Kerman; and

WHEREAS, the project site is located within the City of Kerman Sphere of Influence but since it is outside City limits, the site is zoned by the County and is within the County of Fresno's Agricultural Exclusive – 20 Acres (AE-20) and Limited Agricultural – 20 Acres (AL-20) zone districts; and

WHEREAS, because the project site is outside City limits, the project requires annexation and pre-zoning to a zone district consistent with the City of Kerman 2040 General Plan; and

WHEREAS, Rezone 2023-04 requests to pre-zone/rezone the three (3) parcels (APNs 020-120-29S, 020-120-30S, 020-120-28ST) to zoning districts consistent with the planned land use designations, upon approval of General Plan Amendment 2023-03; and

WHEREAS, the pre-zone/rezone would result in approximately 38 acres within the Smart Development Combining District – Residential – Minimum 5,000 Square Feet (SD-R-5.0), 10.96 acres within the Two-Family Residential (R-2), four (4) acres within the Multi-Unit Residential (R-3), and 18.95 acres within the General Commercial (GC) zoning districts as shown in Exhibit 1; and

WHEREAS, approval of the project would require approval of Rezone 2023-04, General Plan Amendment 2023-03, Annexation 2023-04, and Tentative Subdivision Map 2023-04; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, and Tentative Subdivision Map, and has prepared an Environmental Impact Report (SCH No. 2024031008) to evaluate the proposed Project and the project is in compliance with CEQA; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission completed its review of the Staff Report and documents submitted for the proposed project at a special meeting on December 16, 2024, and adopted a resolution with a recommendation to the City Council to approve Rezone 2023-04; and

WHEREAS, pursuant to the provision of Title 17 of the Kerman Municipal Code, the City of Kerman City Council held a public hearing on January 22, 2025 to consider Rezone 2023-04 during which the Council solicited public testimony, and considered the environmental assessment; and

WHEREAS, the City Council now desires to approve Rezone 2023-04 to amend the Official Zoning Map of the City of Kerman for three (3) parcels (APNs 020-120-29S, 020-120-30S, and 020-120-28ST), prezoning the parcels to SD-R-5.0, R-2, R-3, and CG zoning districts, consistent with the planned land use designations, upon approval of General Plan Amendment 2023-04.

NOW, THEREFORE, the City Council of the City of Kerman does ordain as follow:

1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

2. CEQA. The City Council previously certified the EIR (SCH No. 2024031008) for the project. The EIR identified the pre-zoning of the project site. The pre-zoning does not change the environmental assessment of the EIR. Further, the EIR was recently certified at the public hearing regarding the project. The City Council further finds that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the recommendation for certification that the project will have significant effect not discussed in the EIR. As such, the City Council finds Rezone 2023-04 has already been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.

3. Rezone Findings. The City Council finds as follows:

    a. The change is consistent with the General Plan. The project site is currently planned for residential and commercial uses. The project requests an amendment to the General Plan and Zoning Map to increase the acreage of land designated for medium density and high-density residential uses, which requires a reduction in the acreage of land designated for commercial uses. The project would facilitate future residential and commercial development within an area with existing and planned residential, commercial,

recreational, and public institutional uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with General Plan Policies LU-1.4 (Limit Residential Development Along Highways), LU-1.5 (High Density Residential Development Near Goods and Services), LU-1.6 (Agricultural Buffers), LU-3.2 (Urban Form), LU-3.3 (Prevent Sprawl Development), LU-3.4 (Leapfrog Development), LU-4.5 (Right-to-Farm Disclosure), and LU-5.4 (New Incompatible Land Uses). Therefore, the change is consistent with the General Plan goals and policies.

b. The change is consistent with the purpose of the Zoning Ordinance to promote the health, safety, and welfare of the community. The project requests to pre-zone the parcels to be annexed and rezone them to zoning districts consistent with the proposed land use designations. The proposed zoning districts are identified as compatible zoning districts for the proposed land use designations as shown in the General Plan. Future development proposed on the project site would be subject to compliance with the applicable standards and requirements of the Zoning Ordinance, standards which were adopted by the City to ensure preservation and promotion of public health, safety and welfare of the city and to facilitate growth and expansion of the city in a precise and orderly manner. Further, the project has been reviewed by the various City departments and evaluated for conformity with the requirements of the Zoning Ordinance. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with the purpose of the Zoning Ordinance.

c. There will not be significant effects upon the quality of the environment and natural resources. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, and Tentative Subdivision Map, and has prepared an Environmental Impact Report (SCH No. 2024031008) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level except for Agriculture (loss of farmland) and Hydrology (water supply). The City has carefully considered all the environmental impacts that have not been mitigated to an insignificant level and has prepared a Statement of Overriding Considerations which identifies the specific economic, legal, social, technological, and other considerations that render the unavoidable significant adverse environmental effects acceptable, either in its current form or as may be modified or amended by the City.

4. Approval of Rezone. Given that all the findings can be made, the City Council approves Rezone 2023-04 to amend the Official Zoning Map of the City of Kerman for three (3) parcels (APNs 020-120-29S, 020-120-30S, and 020-120-28ST), pre-zoning the parcels to SD-R-5.0, R-2, R-3, and CG zoning districts, consistent with the planned land use designations as set forth in Exhibit 1.

5. Severability: If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of

competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

6. Certification: This ordinance shall be published in accordance with the provisions of Government Code Section 36933.

7. Effective Date of Ordinance: This ordinance shall be in full force and effect thirty (30) days after its passage.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Kerman on the 22nd day of January, 2025, and passed and adopted at a regular meeting of the City Council on the 26th day of February, 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing ordinance is hereby approved.

_____
Maria Pacheco
Mayor

ATTEST:

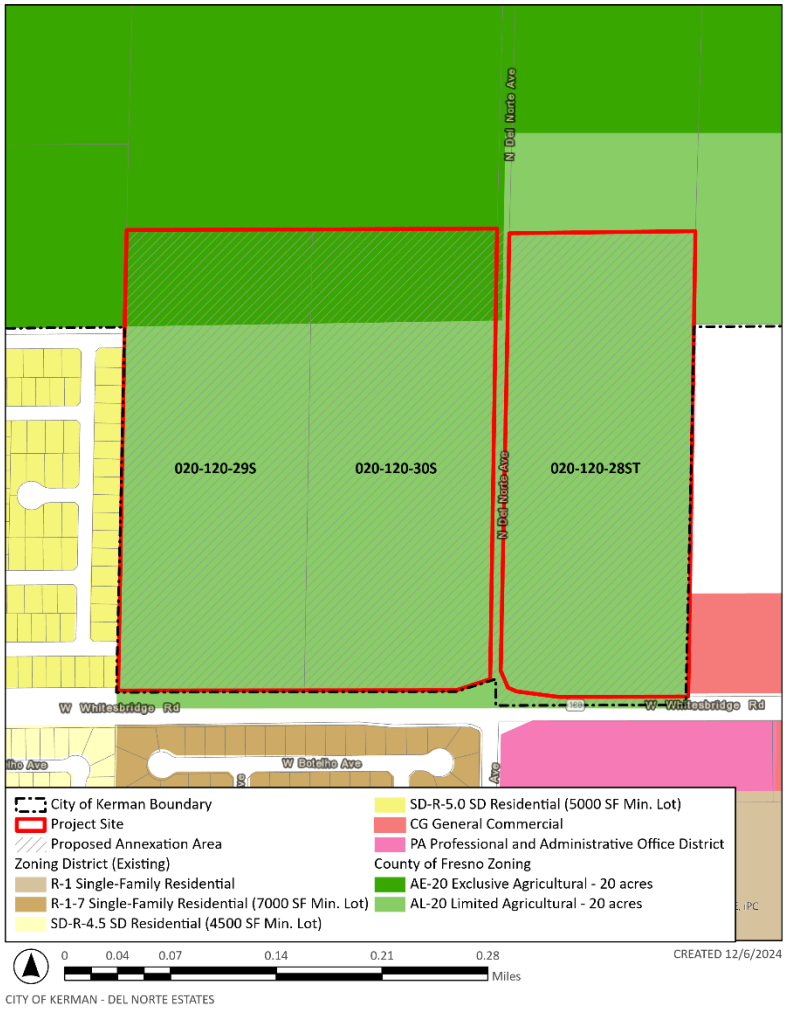
_____
Josie Camacho
City Clerk

Exhibit '1': Rezone 2023-04

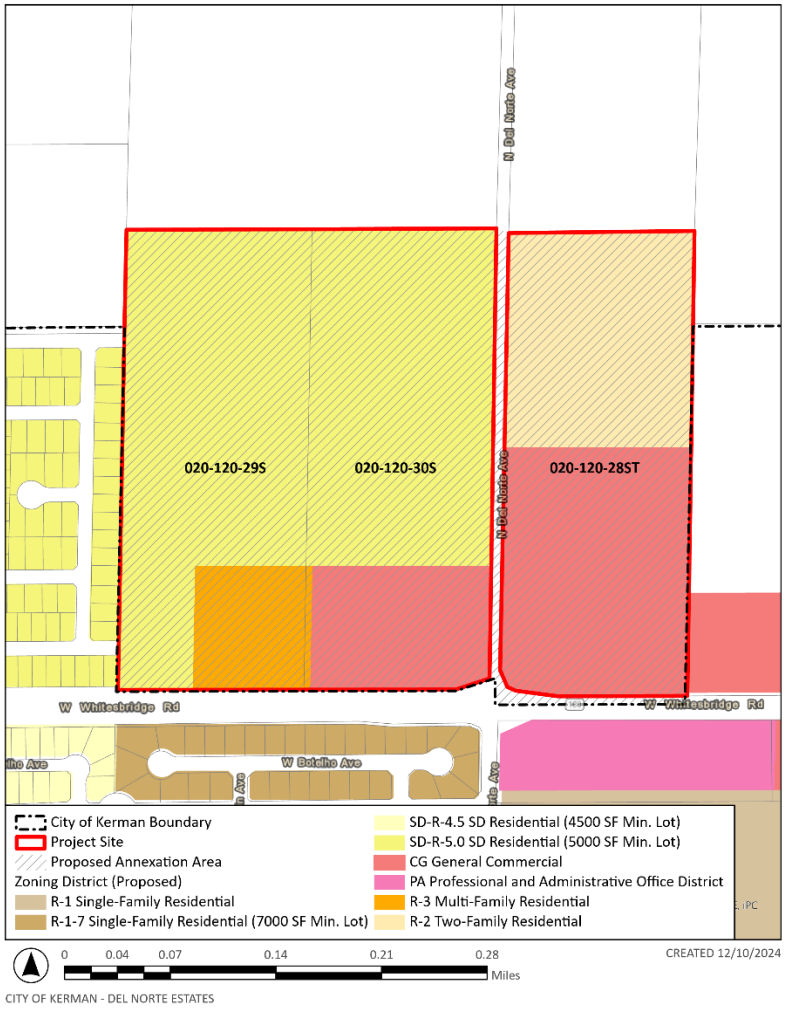
Exhibit '1'

Rezone 2023-04

Prior Zoning (County)



New Zoning (City)



Attachment 'I'

RESOLUTION NO. 25-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING THE DEL NORTE ESTATES SUBDIVISION OF TWO (2) PARCELS IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS (APNS) 020-120-29S (24.24 ACRES) AND 020-120-30S (24.14 ACRES) INTO 200 SINGLE-FAMILY LOTS RANGING IN SIZE FROM 5,000 SQUARE FEET TO 10,972 SQUARE FEET, ONE (1) MULTI-FAMILY LOT (± 3.64 ACRES), AND FOUR (4) COMMERCIAL LOTS (± 4.99 ACRES), AND FIVE (5) OUTLOTS, TOTALING APPROXIMATELY 48.38 ACRES LOCATED ON THE NORTHWEST CORNER OF NORTH DEL NORTE AVENUE AND WEST WHITESBRIDGE ROAD (STATE ROUTE 180) (TENTATIVE SUBDIVISION MAP 2023-04)

WHEREAS, the Holland Group submitted Tentative Subdivision Map 2023-04, "Del Norte Estates," pertaining to two (2) parcels (APNs 020-120-29S and 020-120-30S) consisting of approximately 48.38 acres located on the northwest corner of North Del Norte Avenue and West Whitesbridge Road (State Route 180) ("project site"); and

WHEREAS, Tentative Subdivision Map 2023-04 proposes to subdivide the 48.38 acres into 200 single-family lots, ranging in size from 5,000 square feet to 10,972 square feet, one (1) multi-family lot (± 3.64 acres), and four (4) commercial lots (± 4.99 acres) (**Exhibit '1'**); and

WHEREAS, General Plan Amendment 2023-03, Rezone 2023-04, and Annexation 2023-04, were considered concurrently by the Planning Commission with Tentative Subdivision Map 2023-04; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, and Tentative Subdivision Map, and has prepared an Environmental Impact Report (SCH No. 2024031008) to evaluate the proposed Project and the project is in compliance with CEQA; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission completed its review of the Staff Report and documents submitted for the proposed project at a special meeting on December 16, 2024, and adopted a resolution with a recommendation to the City Council to approve Tentative Subdivision Map 2023-04; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred, and the City Council now desires adoption of a resolution approving Tentative Subdivision Map 2023-04.

NOW, THEREFORE, the City Council of the City of Kerman resolves as follows:

1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

2. CEQA. The City Council concurrently certified the EIR (SCH No. 2024031008) for the project. The EIR identified the subdivision. The subdivision does not change the environmental

assessment of the EIR. Further, the City Council certified the EIR for this project. The City Council further finds that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the certification that the project will have significant effect not discussed in the EIR. As such, the City Council finds that Tentative Subdivision Map 2023-04 has already been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.

3. Subdivision Findings. The City Council determines that none of the findings required by the City's Subdivision Ordinance and the California Subdivision Map Act Section 66474 that require the City to deny approval of a tentative map apply to this project, or that findings regarding flood protection cannot be made. To the contrary, the City Council finds, as follows:

    a. The proposed map is consistent with the applicable General Plan, Subdivision Ordinance, and the Subdivision Map Act. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, Tentative Subdivision Map 2023-04 is consistent with all local planning documents including the General Plan, Subdivision Ordinance, and Zoning Ordinance, and the Subdivision Map Act.

    b. The design or improvement of the proposed land division is consistent with applicable general plan and specific plans. Tentative Subdivision Map 2023-04 is consistent with the intended land uses, density, and development standards outlined in the General Plan. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the subdivision is consistent with the density and land use designated by the General Plan, as well as circulation, pedestrian accessibility, and other design or improvement requirements of the General Plan. There is no specific plan applicable to the site.

    c. That the site is physically suitable for the proposed type of development. Tentative Subdivision Map 2023-04 would subdivide the two (2) parcels identified as APNs 020-120-29S and 020-120-30S into 200 single-family lots, one (1) multi-family lot, and four (4) commercial lots to facilitate future residential and commercial uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, land characteristics, including topography, soil conditions, drainage patterns, ingress/egress and access points, and utility availability are appropriate and can accommodate future development without significant challenges or modifications.

    d. That the site is physically suitable for the proposed density of development. Tentative Subdivision Map 2023-04 would subdivide the two (2) parcels identified as APNs 020-120-

29S and 020-120-30S into 200 single-family lots, one (1) multi-family lot, and four (4) commercial lots. The lot areas conform to the standards of development as defined by the Zoning Ordinance for the applicable development zone districts. Future development would be subject to compliance with applicable development standards, including allowable density and intensity. Compliance with these standards would be ensured through the entitlement review process.

e. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, wildlife, or their habitat. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, and Tentative Subdivision Map, and has prepared an Environmental Impact Report (SCH No. 2024031008) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level except for Agriculture (loss of farmland) and Hydrology (water supply). The City has carefully considered all the environmental impacts that have not been mitigated to an insignificant level and has prepared a Statement of Overriding Considerations which identifies the specific economic, legal, social, technological, and other considerations that render the unavoidable significant adverse environmental effects acceptable, either in its current form or as may be modified or amended by the City.

f. The design of the subdivision and the type of improvements being required are not likely to cause serious public health problems. All improvements shall be required by the City and shall include sewer, water, underground power, telephone, gas, concrete curbs, gutters, sidewalks, permanent street pavement, and streetlights. The project will be tied into existing municipal water, sewer, and storm drain systems through the extension of existing systems. A sanitary sewer service would be provided through connections to existing services in North Del Norte Avenue. Domestic water service will be provided through an existing 12-inch line located near Whitesbridge Road and Del Norte Avenue and Sapphire Avenue. Sewer and water lines will connect to each lot throughout the site. Associated electric, natural gas, and related infrastructure is available and will serve the project site as needed. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the design of the subdivision and type of improvements being required are not likely to cause serious public health problems.

g. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. Development of the project will include the continuation of a Fresno Irrigation District (FID) water line easement that is also used as a pedestrian trail. The project will incorporate a 25-foot-wide FID easement and pedestrian trail from Isabella Drive northbound to the northwest limit of Del Norte Estates. In addition to this easement, the City has required an addition 25-foot-wide trail easement that will connect to the FID easement and continue along the northern boundary of the subdivision and connect the pedestrian trail to Del Norte Avenue (Outlot A and Outlot B) as shown on the Tentative Subdivision Map. Through compliance with applicable development standards,

environmental mitigation measures, and conditions of approval, the design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision.

h. That the proposed design provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision pursuant to Government Code Section 66473.1. As feasible, the project has attempted to take advantage of passive or natural cooling opportunities in subdivision design. Appropriate consideration was given to the local climate, while ensuring that heating and cooling opportunities did not result in the reduction of allowable densities or the percentage of a lot that may be occupied as contemplated by Government Code Section 66473.1.

4. Approval with Conditions. Based on the aforementioned findings, the City Council adopts a resolution to approve Tentative Subdivision Map 2023-04 (Exhibit '1'), subject to the conditions set forth in Exhibit '2' (Tentative Subdivision Map 2023-04 conditions of approval) attached hereto.

5. Effective Date of Resolution. This resolution shall become effective immediately after the City Council approves Rezone 2023-04 and said ordinance adopting the same then becomes effective.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting on the 26th day of February 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

_____
Maria Pacheco
Mayor

ATTEST:

_____
Josie Camacho
City Clerk

Exhibit '1': Tentative Subdivision Map 2023-04
Exhibit '2': Conditions of Approval for Tentative Subdivision Map 2023-04

Exhibit '1'

Tentative Subdivision Map 2023-04

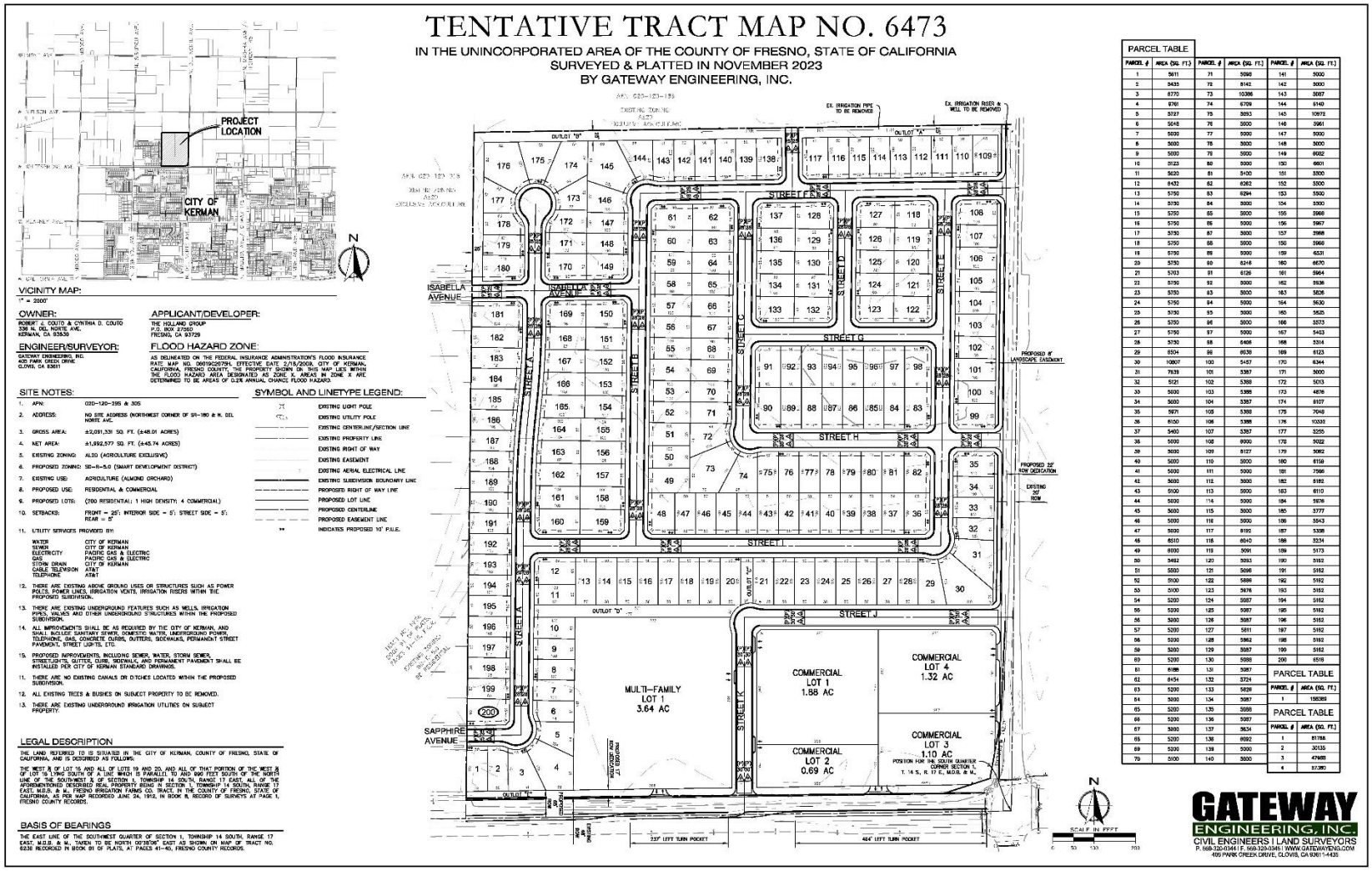


Exhibit '2'

Tentative Subdivision Map No. 2023-04 Conditional of Approval
Del Norte Estates Annexation and Residential Subdivision
Tentative Map No. 6473

Community Development Department Conditions of Approval

1. Project approval is conditioned upon acceptance of the conditions of approval contained herein, as evidenced by the receipt of the applicant's signature upon these conditions of approval, within 30 days of the date of approval.

2. The applicant shall relay all conditions of approval for this project to all subsequent purchasers of individual lots, if applicable, or to subsequent purchasers of this entire subdivision.

3. All conditions of approval shall be the sole financial responsibility of the applicant, except where otherwise specified in the conditions of approval listed herein, via a separate development agreement, or as mandated by statutes.

4. It shall be the responsibility of the applicant to ensure that all required approvals, permits, and/or inspections from any entity having jurisdiction, are obtained prior to issuance of final occupancy for any lot.

5. For the lots designated for single-family within the smart development combining district, the applicant shall apply for a Development Plan Review Permit to ensure a comprehensive development of superior quality than which might otherwise occur from more traditional development. The Development Plan Review Permit shall be approved prior to the issuance of any building permit.

6. For the lots designated for multi-family residential and commercial use, any proposed development will be required to go through the development review process and obtain approvals for development separately.

7. The applicant shall obtain City approval in advance for any temporary or permanent subdivision signs through the sign review process, in accordance with the City's Zoning Code.

8. No more than two of the same unit type (floor layout and exterior materials package) shall be repeated side by side. When two of the same units are repeated side by side, they shall be different colors. These identical provisions may be waived by the Community Development Director on a specific lot basis within the project when the size or configuration of a lot would otherwise prevent compliance with the above requirements or any other siting or setback/yard requirements. If such a waiver is requested, the applicant and the Community Development Director shall work together to ensure that any siting of units not in compliance with the above requirements shall be of different materials and elevations in order to minimize any adverse visual impacts.

9. A right-to-farm covenant, approved as to legal form by the City Attorney, shall be recorded prior to the recording of the Final Map. The covenant shall be disclosed to all future homebuyers.

10. The applicant shall comply with any Mitigation Monitoring and Reporting Program or other mitigation required by the California Environmental Quality Act applicable to the project.

11. All landscaping (public planter/park strips, open space areas, outlots, typical lot plans, etc.) shall conform to the City's Model Water Efficient Landscape Ordinance (MWELO) and all other applicable City standards. Preliminary landscape plans for all landscape areas shall be submitted for review and approval by the Community Development Department prior to the submittal of construction documents for review and approval.

12. All residential lots shall provide an all-weather surface and path for the movement and storage of trash toters.

13. Approval of the entitlement for the project is for the benefit of the applicant. The submittal of the application by the applicant for this project was a voluntary act on the part of the applicant not required by the City. Therefore, as a condition of approval of this project, the applicant agrees to defend, indemnify, and hold harmless the City of Kerman and its agents, officers, consultants, independent contractors, and employees ("City") from any and all claims, actions, or proceedings against the City to attack, set aside, void, or annul an approval by the City concerning the project, including any challenges to associated environmental review, and for any and all costs, attorneys fees, and damages arising therefrom (collectively "claim").

    The City shall promptly notify the applicant of any claim and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

    Nothing in this condition shall obligate the City to defend any claim and the City shall not be required to pay or perform any settlement arising from any such claim not defended by the City, unless the City approves the settlement in writing. Nor shall the City be prohibited from independently defending any claim, and if the City does decide to independently defend a claim, the applicant shall be responsible for City's attorneys' fees, expenses of litigation, and costs for that independent defense, including the costs of preparing any required administrative record.

    Should the City decide to independently defend any claim, the applicant shall not be required to pay or perform any settlement arising from any such claim unless the applicant approves the settlement.

<u>Engineering Conditions of Approval</u>

The conditions of development approval set forth herein include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Section 66020(d) of the Government Code, these conditions constitute written notice of such fees, and a description of the dedications, reservations and other exactions. The applicant is hereby notified that the 90-day protest period commences from the date of approval of the development. If the applicant fails to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exactions contained in this notice,

complying with all the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.

The following are the conditions of approval imposed on the subject development. The applicant shall:

A. General

1. Obtain express written approval of the City Engineer for a deferment, modification, or waiver of any engineering conditions of approval.

2. Comply with all applicable conditions set forth in Title 16 of the Kerman Municipal Code (Subdivisions).

3. Comply with the City's Improvement Plans Checklist in preparation of construction documents.

4. Pay all applicable development impact fees at the rate in effect at the time of payment prior to the issuance of Building Permit(s). The applicant may be eligible for fee credits or fee reimbursements for over-sizing of facilities or construction of other eligible facilities included in the City of Kerman's Impact Fee Study. The City Engineer will determine the type and extent of improvements that are eligible for fee credits or reimbursements. For any improvements deemed eligible for fee credits or reimbursements, the applicant shall submit itemized quantity and unit costs for each item prior to acceptance of the improvements by the City.

5. Provide security in a sum to be determined by the City Engineer, prior to release of development permits, for the guarantee of improvements construction and against claims that may arise from contractors and material vendors.

6. Provide security in a sum to be determined by the City Engineer, prior to final acceptance of the off-site improvements by the City, for the guarantee and warranty of the improvements for a period of one (1) year following the completion and acceptance thereof by the City Council.

7. Provide a soils report or a waiver of soils report for approval by the City Engineer with the first submittal of the improvement plans.

8. Obtain and comply with encroachment permits from affected jurisdictions for all work performed within their rights-of-way and easements.

9. Comply with all the requirements of the local utility, gas, electric, telephone, cable, and other communication companies (Utilities). It shall be the responsibility of the applicant to notify Utilities to remove or relocate poles where necessary. The City will not accept first submittal of improvement plans without proof that the applicant has provided the improvement plans to the Utilities.

10. Underground all existing overhead and any new utility facilities located along the frontage of the development.

11. Contact the United States Postal Service and address all requirements for the location and type of mailboxes to be installed. The location of the facilities shall be approved by the City Engineer prior to approval of improvement plans or any construction. Applicant shall submit a copy of the Method of Delivery Agreement (MODA) to the City.

12. Install all improvements within public right-of-way and easements in accordance with affected jurisdictions standards, specifications, master plans, and record drawings.

13. Provide and pay for all compaction testing required by the City Engineer. Compaction test locations and depths shall be established by the City Engineer. Compaction test results shall be submitted in a format acceptable to the City Engineer, for review and approval.

14. Maintain the construction site, and any public streets fronting the site, clear of any construction or landscaping debris. The site shall not be used as a storage area for equipment, materials, or other items.

15. Remove all existing structures, trees, shrubs, etc., that are within or encroaching on existing or proposed rights-of-way or easements. Existing street improvements shall be preserved, at the discretion of the City Engineer.

16. Provide clean-up, street sweeping, and dust control during the construction of the development to the satisfaction of the City Engineer and Public Works Director. A deposit of $5,000.00 shall be submitted to the City to guarantee compliance. At any time, applicant is deemed to be non-compliant by the City Engineer or Public Works Director, the City may draw from said deposit to pay for necessary activities to bring the site into compliance.

17. Maintain pedestrian and vehicular access to all surrounding properties and buildings to the satisfaction of the City of Kerman Police Department, North Central Fire Protection District, and City Engineer. For developments occurring in phases, the applicant shall submit a schedule showing the sequence of development within the area covered by the tentative map.

18. Assume responsibility for all contractor's actions during the course of any work occurring on the site. Designate, in writing before starting work, an authorized representative who shall have complete authority to represent and to act for the applicant. Said authorized representative shall be present while work is in progress. During periods when work is suspended, arrangements acceptable to the City Engineer shall be made for any emergency work which may be required. When the applicant or his authorized representative is not present for any part of the work where it may be necessary to give directions, orders may be given by the City Engineer which shall be received and obeyed by the person(s) in charge of the particular work in reference to which the orders are given. Whenever orders are given to the applicant 's representative or superintendent or foreman to do work required for the convenience and safety of the general public, such work shall be done at the applicant's expense.

19. Install monuments at all section corners, quarter section corners, all street centerline intersection points, angle points, and beginning of curves and end of curves on streets adjacent to or within the development prior to final acceptance of the development. Any existing section

corner or property corner monuments damaged or destroyed by the development shall be reset to the satisfaction of the City Engineer. A licensed land surveyor or civil engineer licensed to perform land surveying shall certify the placement of all required monumentation prior to final acceptance. Within five days after the final setting of all monuments has been completed, the engineer or surveyor shall give written notice to the City Engineer that the final monuments have been set. Upon payment to the engineer or surveyor for setting the final monuments, the applicant shall present the City Engineer evidence of the payment and receipt thereof by the engineer or surveyor.

B. Maps and Plans

1. Contact the City Engineer to setup a Pre-Submittal Meeting prior to the initial submittal of the improvement plans. The Applicant ’s engineer is required to attend.

2. Submit a 18” x 26” final map, prepared by a registered civil engineer or licensed land surveyor, and adhering to Subdivision Map Act requirements and City of Kerman Municipal Code. The final map shall be drawn at a scale of 1"=100' and include the current filing fee, closure calculations, preliminary title report dated within 90 days of submittal, legal descriptions and drawings of required dedications. Upon approval of the final map, applicant shall submit a reproducible/electronic copy (PDF) to the City Engineer.

3. Submit a set of 24” x 36” construction plans prepared by a licensed Civil Engineer for review and approval of all required improvements prior to the release of any development permits. The plans shall include a site grading and drainage plan, landscaping and irrigation plans, and on-site and off-site utilities plan, if applicable, showing locations and sizes of storm drain, sewer and water mains, laterals, manholes, meters, valves, hydrants, etc.

4. Submit a reproducible/electronic copy (PDF) and two (2) black line copies of the approved set of construction plans, and two (2) bound sets of the approved construction specifications, if any, prior to beginning any construction, or within ten (10) calendar days of approval.

5. Submit Pad Certification(s) prior to issuance of building permits.

6. Submit a PDF file of the approved set of construction plans revised to reflect all field revisions and marked "AS-BUILT" prior to City acceptance of the improvements.

7. Submit a copy of the recorded map to the County Surveyor’s Office pursuant to Section 66466(f) of the Subdivision Map Act and Section 8774.5(a) of the Professional Land Surveyors Act

C. Dedications and Street Improvements

1. Comply with improvements stated in the Traffic Impact Study prepared by Ruttgers & Schuler.

2. Provide right-of-way acquisition or dedicate free and clear of all encumbrances and improve the following streets to City standards:

a) Del Norte Avenue
   i) Dedicate sufficient right-of-way to achieve a total of 42’ west of center/section line for public street and utility purposes along development frontage.
   ii) Dedicate 2’ pedestrian easement and 8’ landscape easement west of proposed right-of-way line.
   iii) Relinquish all direct vehicular access to Del Norte from all single-family residential lots backing or siding onto this street.
   iv) Construct improvements west of center/section line in accordance with City Standard P-1 for a Collector Street and approved tentative map. Improvements shall include curb and gutter, sidewalk, curb ramps, streetlights, landscaped median island, landscaping, irrigation, and permanent paving.
   v) Re-pave the northbound travel lane along the frontage of the development.
   vi) Construct transitional paving as required.
   vii) Install a Class II Bikeway along the development’s frontage

b) 50’, 56’ and 60’ Interior Residential Streets
   i) Dedicate right-of-way for public street and utility purposes in accordance with City Standard P-1 for each proposed street width.
   ii) Construct improvements including curb and gutter, sidewalk, drive approaches, curb ramps, streetlights, landscaping and irrigation, and permanent paving.

c) Outlots “A” and “B”
   i) Dedicate 25’ bike/pedestrian easement for class I trail purposes.
   ii) Construct a 10’ wide asphalt concrete class I trail including landscaping and irrigation.

d) Outlot “C” and “D”
   i) Dedicate 30’ bike/pedestrian easement for class I trail purposes.
   ii) Construct a 10’ wide asphalt concrete class I trail including landscaping and irrigation.

e) Interior Residential Streets – Street A and Street I
   i) Install a traffic calming feature.

f) Whitesbridge Road (State Route 180)
   Relinquish all direct vehicular access from single-family residential lots. Comply with requirements stipulated in Caltrans letters as conditioned in Other Agency and Department Conditions section below. .

3. Dedicate a 10’ public utility easement along all streets and all other locations requested by utility companies. Alternate widths must be approved in writing by all utility companies and a copy of said written approval shall be submitted to the City Engineer.

4. Obtain "R Value" tests in quantity sufficient to represent all street areas, and have street structural sections designed by a registered civil engineer based on these "R Value" tests. These designs shall be compared to the minimum section given below and approved by the City Engineer.

Street Designation	Minimum Section
Residential Street(s)	2” HMA/4” CLII AB/6” CNS
Collector Street(s)	3” HMA/6” CLII AB/6” CNS

5. Install standard barricades with reflectors at ends of streets abutting undeveloped property and any other locations to be specified by the City Engineer.

6. Install 2”x6” redwood header boards prior to street paving, at the end of any permanent pavement abutting undeveloped property.

7. Install temporary paved cul-de-sacs at the end of any dead-end streets, planned for future extension, longer than 150’. A 40’ radius shall be provided to allow turnaround of emergency equipment.

8. Provide for all striping, stenciling, pavement markers, delineators and signage required of all street improvements within the development. All traffic signs and street name signs shall be installed in accordance with City Standards and the CA MUTCD (latest edition). A striping and signage plan shall be included with the construction plans and submitted for review and approval by the City Engineer.

9. Provide corner cut-offs at all street intersections. Corner cut-offs shall be sufficient to provide for sight distances and accommodate curb ramps.

10. Repair/replace any broken or buckled curb, gutter, and/or sidewalk along the site frontage in kind to the satisfaction of the Public Works Department.

11. Provide street names consistent with east-west street naming to the west and north-south street naming to the south. Names matching existing county roads or city streets must maintain the current suffix. When deemed practical, entry streets, cul-de-sacs, and courts should utilize the name of the nearest subdivision street. Street names shall be approved by the Community Development Director.

12. Install subdivision signage complying with applicable Building & Fire Code and Section 17.30.070 of the Kerman Municipal Code.

D. Sanitary Sewer

1. Identify and abandon all existing septic systems per City Standards and any other governing regulations.

2. Dedicate a 15’ wide easement for all onsite sewer mains not located in dedicated rights-of-way.

3. Connect to the nearest 18” sanitary sewer main available to serve the development, located in Del Norte Avenue north of Whitesbridge Road. The applicant ’s engineer shall be responsible for verifying the size, location, and elevations of existing improvements. Any alternative routing of sewer service must be approved by the City Engineer and supported by appropriate calculations.

4. Install sanitary sewer mains of the size and in the locations indicated below. The applicant 's engineer shall be responsible for verifying the size, location, and elevations of existing improvements.

   a) Del Norte Avenue: 18" sewer main along the development frontage.
   b) Interior Streets: Minimum of 8" sewer mains throughout development

   Install one (1) 4" sewer service house branch to each lot within the development in accordance with City Standards. Additionally, install sanitary sewer main services to existing parcels' property lines, not currently served, and fronting the proposed sanitary sewer main improvements.

E. Water

1. Identify and abandon all existing water wells per City Standards and any other governing regulations.

2. Dedicate a 10' wide easement for all onsite water mains, hydrants, blow-offs, and water meters not located in dedicated rights-of-way.

3. Install water mains of the sizes and in the locations indicated below and provide an adequately looped water system, consisting of at minimum two connection points. The applicant 's engineer shall be responsible for verifying the size, location, and elevations of existing improvements.

   a) Del Norte Avenue: 12" water main along the development frontage.
   b) Connect existing 12" water main on west end of the development, in Sapphire Avenue to proposed Del Norte Avenue 12" water main. Route 12" water main from Sapphire Avenue through Street A, Outlot 'D' and Street J.
   c) Interior Streets: Minimum of 8" water mains throughout development.

4. Install water services, size as necessary, to each lot within the development in accordance with City Standards. Water services shall be grouped at property lines. Additionally, install water services to existing parcels' property lines, not currently served and fronting the proposed water main improvements.

5. Install landscape water service(s), size as necessary, to each public landscape area within the development in accordance with City Standards.

6. Install one (1) water sampling station in accordance with City Standards. The location shall be determined by the City Engineer.

7. Install fire services in accordance with North Central Fire Protection District requirements and City Standards. Fire services shall include a detector check.

8. Install fire hydrants at locations approved by the North Central Fire Protection District. Fire hydrants and curbs shall be painted as directed by the North Central Fire Protection District.

9. Do not perform water service connection to the City of Kerman water system until a bacteriological report has been accepted by the City Engineer.

F. Grading and Drainage

1. Provide a temporary on-site retention basin for storm water disposal, near the southwest end of the development. The size and design shall be in accordance with the requirements of the City Engineer and may change based on design calculations and access requirements for maintenance. Sizing calculations shall be provided on the grading plan. The owner of the property on which the temporary basin is to be constructed shall be responsible for maintenance. The temporary basin is solely for the convenience of the development.

2. Backfill the temporary basin within ninety (90) days after notice by the City that the permanent facility is available, and the temporary basin is no longer needed. In the event the owner fails to backfill said basin, the City may cause the basin to be backfilled. A lien to cover the cost of work will be placed on the property on which the basin is located. A covenant stating these requirements shall be prepared and recorded on the lot on which the basin is to be located.

3. Install storm drain mains of the sizes and in the locations indicated below. The applicant 's engineer shall be responsible for verifying the size, location, and elevations of existing improvements.

    a) Interior Streets: Minimum of 15" storm drain mains throughout development.
    b) Connect 24" storm drain, commencing at Del Norte Avenue, to existing 30" storm drain on west end of the development, in Sapphire Avenue. Route 30" storm drain through Street A, Outlot 'D' and Street J.

4. Design the storm drain main system to drain to the west, towards existing tract 6236.

5. Submit hydrologic and hydraulic calculations (H&H) for any proposed storm drain system and submit with the grading plan for review and approval by the City Engineer. Form of H&H calculations shall be approved by the City Engineer prior to submittal.

6. Install concrete masonry block walls in accordance with City Standards, with a minimum height of 6 feet, and of a design and color approved by the City of Kerman Planning Division at the following locations:

    a) Del Norte Avenue: along the development frontage.
    b) Whitesbridge Road: along the frontage of lots 1 to 4; Sound wall shall be 7.5 feet in height per MMRP
    c) Lots 4 to 10 and 13 to 30: along the back of lots backside fronting Outlot D and the commercial lots. Sideyards of Lots 10 and 11.
    d) Sideyards of lots 20 and 21 adjacent to Outlot C

e) Lots 109 to 117; 138 to 145; and 174 to 180 along the back of lots adjacent to Outlot A and B.

Masonry block walls that retain more than 12" and/or are taller than 6 feet shall be designed by a registered civil engineer.

7. Show grade differentials between lots and adjacent properties and address in conformance with City Standards. Any retaining walls required shall be masonry construction. All retaining walls shall be designed by a registered civil engineer.

8. Submit a copy of Storm Water Pollution Prevention Plan with Notice of Intent, or Construction Rainfall Erosivity Waiver, if applicable, prior to issuance of Grading Permit. The City is not a designated MS4 area and is regulated under the Construction General Permit Order 2022-0057-DWQ (CGP). Comply with all requirements of the NPDES General Permit, if applicable. Plans for these requirements shall be included in the construction plan set and shall be submitted to and approved by the City Engineer.

9. Submit a copy of the San Joaquin Valley Air Pollution Control District (SJVAPCD) Dust Control Plan or Construction Notification Form, if applicable, prior to issuance of a grading permit. The Project shall comply with all rules, regulations and conditions of approval imposed by the District. The applicant shall maintain a program of dust control to prevent air pollution as well as discomfort or damage to adjacent and surrounding properties. The applicant shall follow all requirements and recommendations made by the San Joaquin Valley Air Pollution Control District for dust and emission reduction.

G. Landscaping and Irrigation

1. Provide landscaping and irrigation as required herein. The landscaping and irrigation shall be installed in public right-of-way and all other areas reserved for landscaping. Plans for the required landscaping and irrigation systems shall be prepared by an appropriately qualified professional and conform to the City of Kerman Standard Drawings and Specifications, Street Median Landscape Master Plan and the California Model Water Efficiency Ordinance. A preliminary landscape plan for all public areas shall be submitted to the Community Development Department for review and approval prior to submittal of construction documents. Public landscaping and irrigation shall be installed in the following locations:

   a) Whitesbridge Road: along the development frontage from back of curb to block wall.
   b) Del Norte Avenue: along the development frontage from back of curb to block wall.
   c) Outlots "A", "B" and "D"

2. Install all landscape improvements prior to final occupancy of 50% of the development's building permits.

3. Request annexation to the City's Landscaping and Lighting Maintenance District (LLMD). The property owner acknowledges and agrees that such request serves as a petition pursuant to California State Proposition 218 and no further election will be required for the establishment of the initial assessment. The assessment for each lot must be obtained from the City for the tax

year following the recordation of the final map. The property owner shall consent to the first-year assessment and annual increases per the provisions of the LLMD. The property owner/applicant shall notify all potential lot buyers before they actually purchase a lot that this tract is a part of a LLMD. Said notification shall be in a manner approved by the City. The property owner/applicant shall supply all necessary assessment diagrams and other pertinent materials for the LLMD.

4. Applicant is required to provide evidence to the City that applicant has contact Fresno Irrigation District (FID) regarding that agency's facilities and interests regarding the property, and that such facilities have been addressed so as to minimize impacts to FID facilities. This may include, but not be limited to, dedicating easements, piping or relocating any existing FID canals or ditches, replacing any existing irrigation piping, concrete lining or improving any existing canals, construction or reconstruction of any canals, culverts, and bridge crossings. Plans for these requirements and improvements shall be included in the previously required set of construction plans and submitted to and approved by FID prior to the release of any development permits or recording of the final map. If an FID or private irrigation line is to be abandoned, the applicant shall provide waivers from all downstream users.

5. Identify all existing onsite agricultural irrigation systems either onsite or within public rights-of-way, whether FID or privately owned prior to any construction activity on the site. Service to all downstream users of irrigation water shall be maintained at all times through preservation of existing facilities or, if the existing facilities are required to be relocated, the relocation and replacement of the existing facilities. It is the intent that downstream users not bear any burden as a result of the development. Therefore, the applicant shall bear all costs related to modification, relocation, or repair of any existing irrigation facilities resulting from or necessitated by the development. The applicant shall identify on the construction plans all existing irrigations systems and their disposition (abandonment, repair, relocation, and or piping) for approval by the City Engineer. The applicant shall consult with the FID for any additional requirements for lines to be abandoned, relocated, or piped. The applicant shall provide waivers from all users in order to abandon or modify any irrigation systems or for any service interruptions resulting from development activities.

6. Indicate on construction drawings the depth, location and type of material of any existing FID irrigation line along the proposed or existing street rights-of-way or onsite. Any existing canals or ditches shall be piped. The material of the existing pipe shall be upgraded to the proper class of rubber gasket pipe at all locations unless otherwise approved by the City Engineer.

The conditions given herein are for the entire development. Additional requirements for individual phases may be necessary pending review by the City Engineer.

Other Agency and Department Conditions

A. Caltrans

1. Access for Tentative Subdivision Map No. 6473 via State Route 180 (Whitesbridge Road) shall not be permitted, except via Street K (with Caltrans approval).

2. Right-of-way width and frontage improvements (raised median, lane, shoulder, curb, gutter, sidewalk, roadway lighting, etc.) along this portion of State Route 180 shall match the roadway configuration directly to the west.

3. Comply with alternative transportation policies:

    a. Pedestrian walkways should link this project to transit facilities, bicycle pathways, and other walkways in the surrounding area.

    b. Connections to local and regional bicycle pathways should be coordinated to encourage further use of bicycles for commuter and recreational purposes.

4. The proposed eastbound State Route 180 left-turn lane lengths for Del Norte Avenue and the new development access shall be a minimum of 485 feet. This length accounts for a 50-mph deceleration distance and two-vehicle storage, as outlined in Figure 405.2S of the Caltrans Highway Design Manual. A bay taper of 120 feet is recommended to complement these lane lengths.

B. Fresno County Road Maintenance and Operations Division

1. The full road right-of-way width for Del Norte Avenue along the subject parcels shall be annexed.

2. Any road improvements on Del Norte Avenue within the proposed annexation limits shall provide adequate transitions to tie into County maintained roads north of the subject parcels.

C. Fresno Local Agency Formation Commission

1. The applicant will be required to submit the appropriate application materials including fees to LAFCo for reorganization. These materials are enumerated on LAFCo's website (www.fresnolafco.org) through the Applications and Documents tab under Items Necessary for a Complete Application.

2. The current fee schedule for changes of organization/reorganization (annexation) of 41-80 acres is $12,000.

3. The City may send notice 5664(c) to the interested and affected agencies if the annexation is 100 percent uninhabited to reduce the project timeline.

4. The Agricultural Preserve Contracts (Williamson Act) Nos. AP 8116 and AP 8119 for APNs 020-120-29S and 020-120-30S must be cancelled prior to annexation approval.

5. Annexation of full rights of way contiguous to parcel boundaries should be presumed in the reorganization's legal description and map.

D. Fresno Irrigation District

1. FID's Siskiyou Lateral No. 146 runs southwesterly, traversing the northwestern portion of the subject property, approximately 10 feet west of the subject property. The applicant shall grant a 10 foot wide exclusive easement, where FID only has an existing 30 feet-wide exclusive easement, such that FID has a total of 40 feet-wide exclusive easement to meet current FID standards.

2. The applicant and/or the applicant's engineer shall meet with FID at their earliest convenience to discuss specific requirements, e.g. easement width and alignment, right-of-way width and alignment, pipeline alignment, depth and size, fees, etc.

3. All exposed facilities (standpipes, air vents, covers, etc.) within the subject property or directly adjacent to the subject property must be adapted with additional features in order to transition from a rural setting to an urban setting, to mitigate for the effects of new development and increased population, and provide for public safety within FID's property/easement and the development.

4. Applicant shall provide evidence to the City that all improvement plans which affect FID's property/easements and canal/pipeline facilities including but not limited to Sewer, Water, Storm drain, Street, Landscaping, Dry Utilities, and all other utilities, have been reviewed by FID and do not adversely affect FID's property/easements.

5. The applicant/developer must provide evidence to the City that it has submitted a grading and drainage plan to FID and demonstrate that the proposed development will not endanger the structural integrity of the Pipeline or result in drainage patterns that could adversely affect FID.

6. All existing trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures must be removed within FID's property/easement and the development project limits.

7. FID does not allow FID owned property or easements to be in common use with public utility and/or road easements and right-of-ways but will in certain instances allow for its property to be in common use with landscape easements if the City of Kerman enters into the appropriate agreement.

8. FID easements must be shown on all maps/plans with proper recording information, and FID must be made a party to signing all final maps/plans to the extent required by law.

9. Footings of retaining walls shall not encroach onto FID property/easement areas.

10. Trees will not be permitted within FID's property/easement areas.

11. All FID easements be shown on all plans with the appropriate recording information.

12. No large earthmoving equipment (paddle wheel scrapers, graders, excavators, etc.) will be allowed within FID's easement and the grading contractor will be responsible for the repair of all damage to the pipeline caused by contractor's grading activities.

13. FID is concerned about the potential vibrations caused by construction efforts near existing District facilities as it may cause damage to FID's canals, pipelines and culverts. The developer and contractor(s) must keep all large equipment, construction material, and soil stockpile outside of FID's easement and a minimum of 30 feet away from existing cast-in-place concrete pipe. The developer and/or its contractor(s) will be responsible for all damages caused by construction activities.

E. Mid Valley Disposal

1. Each single-family unit shall require three (3) carts, which must be in the garage or elsewhere on the property until service day.

F. North Central Fire Protection District

1. The project shall comply with the requirements of the North Central Fire Protection District Operational Policy 403.002.

G. PG&E

1. The final map shall contain a statement setting forth dedications and offers to dedicate interests in real property for public utility purposes. If the offer of dedication has terminated, or the City declines to accept it, the applicant/developer may be required to provide an easement in gross satisfactory to PG&E. The following language is recommended to be expressly stated for office to dedicated Public Utility Easements (PUE): *I/We the undersigned, as Owner(s) of the land shown hereon, do hereby state that I/we am/are the only person(s) whose consent is necessary to pass clear title to said land and do hereby consent to the preparation and recordation of this map and offer for dedication and do hereby dedicate for public uses the Public Utility Easements (PUEs) shown on this map for public utility purposes including electric, gas, communication facilities and all other public utility purposes; together with any and all appurtenances thereto, including the right from time to time to trim and to cut down and clear away or otherwise control any trees or brush. The PUEs hereby offered for dedication are to be kept open and free of buildings, structures and wells of any kind.*

H. San Joaquin Valley Air Pollution Control District

1. Prior to issuance of grading or building permits, the applicant/developer shall provide the City with evidence from the San Joaquin Valley Air Pollution Control District (SJVAPCD) of an approved Dust Control Plan or Construction Notification form under Regulation VIII – Fugitive Dust PM10 Prohibitions. The subdivision project may be subject to other rules including Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operation). The developer will be required to carry out measures of applicable SJVAPCD Rules and Regulations as noted.

Attachment 'J'

RESOLUTION NO. 25-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN INITIATING ANNEXATION OF THREE (3) PARCELS IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS (APNS) 020-120-29S (24.24 ACRES), 020-120-30S (24.14 ACRES) AND 020-120-28ST (23.91 ACRES), TOTALING APPROXIMATELY 72.29 ACRES LOCATED ON THE NORTH SIDE OF WHITESBRIDGE ROAD (STATE ROUTE 180) BETWEEN NORTH SISKIYOU AVENUE AND NORTH MADERA AVENUE (ANNEXATION 2023-04)

WHEREAS, the City of Kerman desires to initiate proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code; and

WHEREAS, Government Code section 56654 provides that "[a] proposal for a change of organization or a reorganization may be made by the adoption of a resolution of application by the legislative body of an affected local agency . . . [;]" and

WHEREAS, the specific changes of organization requested consists of an annexation into the City of Kerman and detachment from the County of Fresno and a reorganization from the Kings River Conservation District into the Fresno Irrigation District of the parcels identified as APNs 020-120-29S, 020-120-30S, and 020-120-28ST ("project site"); and

WHEREAS, within the project site, APNs 020-120-29S and 020-120-30S site are currently in Agricultural Preserve Contract (Williamson Act) Nos. AP 8116 and AP-8119 (APN 020-160-29S);

WHEREAS, the City will not succeed to the rights, duties, and powers of the County under the Williamson Act for APNs 020-120-29S and 020-120-30S, as allowed under California Government Code 51243.5, and meeting all the criteria under Subsection (d)/(e); and

WHEREAS, a map of the boundaries of the territory is set forth in **Exhibit '1'** attached hereto and by this reference incorporated herein; and

WHEREAS, the affected territory proposed to be changed is inhabited, and on this day contains 1 registered voter, according to information received from the County Elections Office; and

WHEREAS, the proposed annexation area is inside the Sphere of Influence of the City of Kerman; and

WHEREAS, the City has an agreement with the County of Fresno to comply with Revenue and Tax Code Section 99 regarding property tax revenue transfer upon annexation, which memorandum of understanding includes standards of annexations; and

WHEREAS, the City does not propose any specific term and conditions for the proposed reorganization; and

WHEREAS, the reasons for this proposed annexation is to facilitate future residential, commercial, and public institutional development; and

WHEREAS, approval of the project would require approval of Annexation 2023-04, Rezone 2023-04, General Plan Amendment 2023-03, and Tentative Subdivision Map 2023-04; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, and Tentative Subdivision Map, and has prepared an Environmental Impact Report (SCH No. 2024031008) to evaluate the proposed Project and the project is in compliance with CEQA; and

WHEREAS, public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission completed its review of the Staff Report and documents submitted for the proposed project at a special meeting on December 16, 2024, and adopted a resolution with a recommendation to the City Council to initiate Annexation 2023-04; and

WHEREAS, all prerequisites for the initiation of proceedings, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, have been met; and

WHEREAS, after due consideration of all the items before it, the City Council now desires to adopt this Resolution to initiate annexation proceedings for the affected territory as set forth in **Exhibit '1**'.

NOW, THEREFORE, the City Council of the City of Kerman resolves as follows:

1. Recitals. The City Council hereby finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.

2. CEQA. The City Council concurrently certified the EIR (SCH No. 2024031008) for the project. The EIR identified the annexation of the project site. The annexation does not change the environmental assessment of the EIR. The City Council further finds that no subsequent review is required under CEQA Guidelines section 15162 as since that time no substantial changes have been proposed in the project which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Likewise, no substantial changes have occurred since that time with respect to the circumstances under which the project is undertaken which will require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is also no new information, which was not known and could not have been known at the time of the recommendation for certification that the project will have significant effect not discussed in the EIR. As such, the City Council finds Annexation 2023-04 has already been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.

3. General Plan Consistency. The City Council finds that the annexation is consistent with the goals, objectives, and policies of the City of Kerman 2040 General Plan, as amended by General Plan Amendment 2023-03. In this regard, the City Council finds that public necessity, convenience, general welfare, or good zoning practices justify annexation of the project site. Specifically, the annexation and pre-zoning change is consistent with the General Plan goals and policies, any operative plan, or adopted policy including LU-3.2 Urban Form; LU-3.3 Prevent Sprawl Development; and LU-3.4 Leapfrog Development as described below and implements the planned residential and commercial land uses for the project site.

    a. General Plan Policy LU-3.2 Urban Form: The project site is outside City limits but is within the City's Sphere of Influence. The project requires annexation and therefore would result in a change in City limits. The project as proposed would meet the considerations of General Plan Policy LU-3.2 Urban Form. Specifically, the project would facilitate future residential units which would help meet the city's residential housing needs such as affordable housing or a desire for a wider and more diverse range of housing. The project would also facilitate future open space (multi-family development), recreational facilities (pedestrian trail), and schools (KUSD facility), meeting several community needs. The project would not result in obstacles to growth because future development would be able to connect to City services. The project would also result in infrastructure improvements, including roadway and circulation improvements. Although the project site is subject to the Williamson Act, non-renewal and cancellation efforts are underway concurrently. Lastly, the project would facilitate future commercial uses which would serve the city's economic development needs. Based on these considerations, the project as proposed maintains growth management controls and is consistent with General Plan Policy LU-3.2.

    b. General Plan Policy LU-3.3 Prevent Sprawl Development: The project site is contiguous to existing and approved development within City Limits. Thus, the project does not encourage sprawl and is therefore consistent with General Plan Policy LU-3-3.

    c. General Plan Policy LU-3.4 Leapfrog Development: The project site is contiguous to existing urban development and thus would not constitute leapfrog development.

4. Findings for Annexation. The City Council finds, as follows:

    a. The proposed annexation is within the City's adopted Sphere of Influence. The project site is outside City limits but is within the City's Sphere of Influence. The project requires annexation and therefore would result in a change in City limits. The project as proposed would meet the considerations of General Plan Policy LU-3.2 Urban Form, which sets the City's growth management control measures. Specifically, the project would facilitate future residential units which would help meet the city's residential housing needs such as affordable housing or a desire for a wider and more diverse range of housing. The project would also facilitate future open space (multi-family development), recreational facilities (pedestrian trail), and schools (KUSD facility), meeting several community needs. The project would not result in obstacles to growth because future development would

be able to connect to City services. The project would also result in infrastructure improvements, including roadway and circulation improvements. Although the project site is subject to the Williamson Act, non-renewal and cancellation efforts are underway concurrently. Lastly, the project would facilitate future commercial uses which would serve the city's economic development needs. Based on these considerations, the project as proposed maintains growth management controls and is consistent with General Plan Policy LU-3.2.

b. The proposal is consistent with city general and specific plans, including adopted goals and policies**.** The project would facilitate future residential and commercial development within an area with existing and planned residential, commercial, recreational, and public institutional uses. Through compliance with applicable development standards, environmental mitigation measures, and conditions of approval, the project as proposed is consistent with General Plan Policies LU-1.4 (Limit Residential Development Along Highways), LU-1.5 (High Density Residential Development Near Goods and Services), LU-1.6 (Agricultural Buffers), LU-3.2 (Urban Form), LU-3.3 (Prevent Sprawl Development), LU-3.4 (Leapfrog Development), LU-4.5 (Right-to-Farm Disclosure), and LU-5.4 (New Incompatible Land Uses). There are no specific plans applicable to the proposed project.

c. Pursuant to CEQA, the proposal mitigates any significant adverse effect on continuing agricultural operations on adjacent properties, to the extent reasonable and consistent with the applicable general and specific plan. Pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 ("CEQA"), the City, as the Lead Agency, has analyzed the proposed project, including the Rezone, General Plan Amendment, and Annexation, and Tentative Subdivision Map, and has prepared an Environmental Impact Report (SCH No. 2024031008) to evaluate the proposed Project. It was determined that all impacts were either less than significant or could be mitigated to a less than significant level except for Agriculture (loss of farmland) and Hydrology (water supply). The City has carefully considered all the environmental impacts that have not been mitigated to an insignificant level and has prepared a Statement of Overriding Considerations which identifies the specific economic, legal, social, technological, and other considerations that render the unavoidable significant adverse environmental effects acceptable, either in its current form or as may be modified or amended by the City.

d. At least 25% of the area proposed for annexation has an approved tentative subdivision map(s) (single-family residential) and an approved site plan (for uses besides single-family). The proposed annexation would meet this condition whereby at least 25% of the proposed annexation area will include an approved tentative map for single-family residential, multi-family, and commercial uses.

e. The annexation is to fulfill the city's Regional Housing Needs Allocation (RHNA) obligation which otherwise cannot be accommodated on lands currently within the city's incorporated boundary. The project would facilitate future residential uses, including single-family and multi-family, which would assist the City with fulfilling the city's RHNA obligation within the City's 6th Cycle Housing Element Update.

f. The proposal would not create islands. Boundaries must ultimately minimize creation of peninsulas and corridors, or other distortion of boundaries. The proposed annexation area would not create islands. New boundaries would not create any peninsulas or corridors.

5. Approval of Initiation of Reorganization. Based on the information provided above, the City Council of the City of Kerman approves a resolution to initiate annexation and reorganization of the project site that is not within the City limits, by adopting a resolution of application requesting the Local Agency Formation Commission of Fresno County to initiate proceedings for the change of organization of territory as described in **Exhibit '1'**, in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The City Council authorizes and directs the City Manager to take all necessary steps to effectuate and initiate such reorganization proceedings, and to support Developer's processing of the same at Developer's sole cost and expense.

6. Effective Date of Resolution. This Resolution shall become effective immediately after the City Council approves Rezone 2023-04 and said ordinance adopting the same then becomes effective. If said ordinance does not become effective within 65 days of the adoption of this Resolution, or the ordinance is not otherwise adopted by the City Council, then Annexation 2023-04 shall be returned to the City Council for further consideration and a final decision.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting on the 26th day of February 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

_____
Maria Pacheco
Mayor

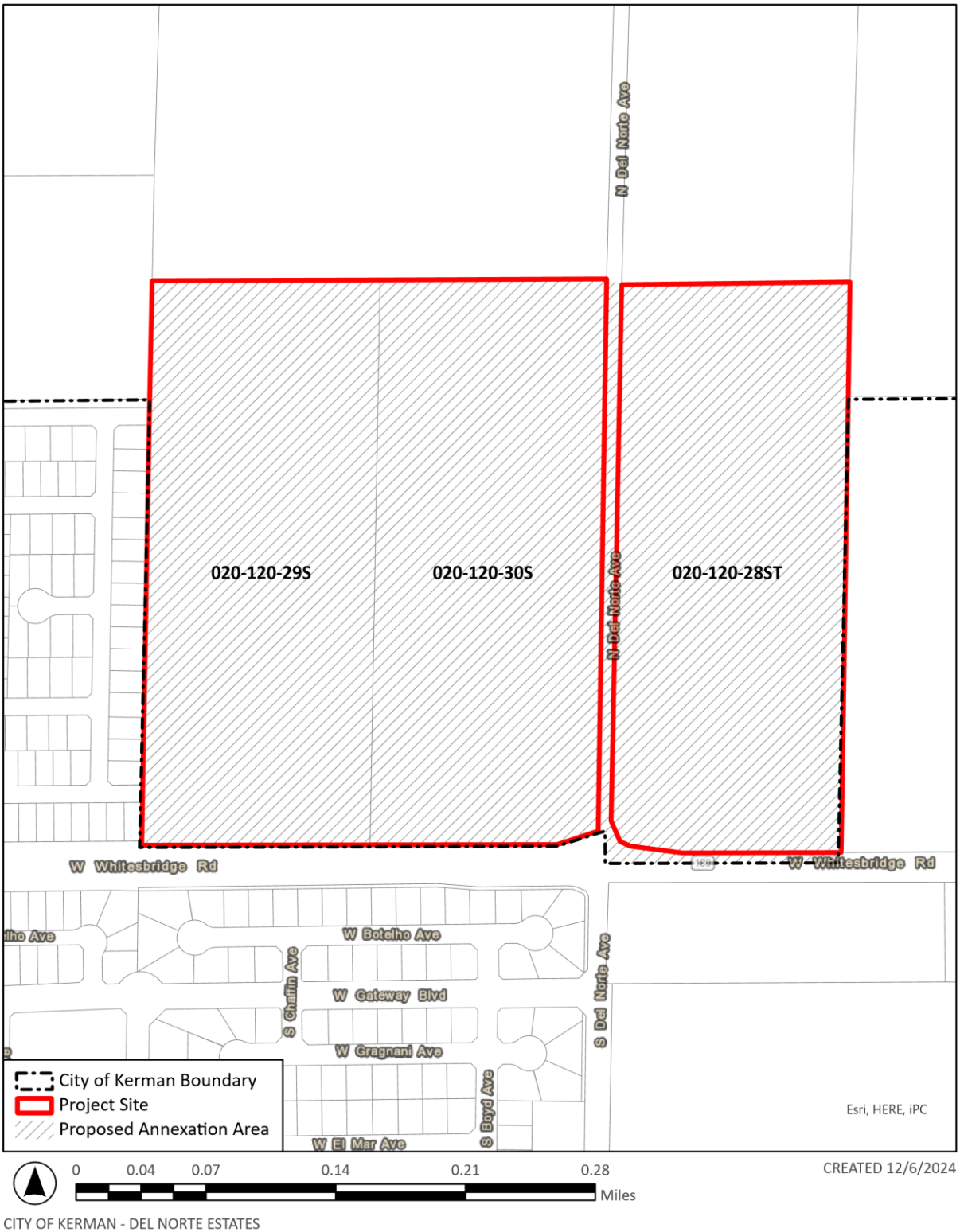
ATTEST:

_____
Josie Camacho
City Clerk

Exhibit '1': Annexation 2023-04

Exhibit '1'

Annexation 2023-04



CITY OF KERMAN - DEL NORTE ESTATES

STAFF REPORT

MEETING DATE: February 26, 2025

PRESENTER: Manuel Campos, Assistant Planner

SUBJECT: Mixed Use Development Conceptual Designs Program (MC)

RECOMMENDATION: Council by motion adopt a resolution approving the Mixed Use Development Conceptual Designs Program.

EXECUTIVE SUMMARY:

The City was awarded Local Early Action Planning (LEAP) grant funding from the California Department of Housing and Community Development (HCD) to help accelerate housing production and facilitate compliance to implement the sixth-cycle Regional Housing Needs Assessment. A share of the City's awarded LEAP grant funding was allocated towards the development of a Mixed Use Development Conceptual Designs Program (Program). The intent of the Program is to provide concept illustrations and exhibits for infill site mixed use development. With the pre-approved concepts, the design/approval/permit process can be streamlined, which lowers costs for developers and accelerates the production of dwelling units.

The Program focuses on parcels that are zoned mixed-use (MU), since the MU zone district allows for development that mixes residential, commercial, and recreational uses. Within the City, there are seven (7) parcels that have a zoning designation of MU and are suitable for development. The parcels are generally located at the southwest corner of Whitesbridge Road and Vineland Avenue. A Vicinity Map is included as **Attachment 'B'**. The Program led to the development of three (3) MU conceptual site plans, which were created through consideration of property ownership and development size. Based on the conceptual site plans developed, the sites could potentially accommodate 27 duplexes (54 dwelling units) and 56,310 square feet of office and/or commercial space. The conceptual site plans are included as **Exhibit 'A'** to **Attachment 'A'**. The Program Summary Memo is included as **Attachment 'C'** and provides detailed discussion of the Program, including current site conditions, street frontage and circulation, infrastructure, development standards, and other applicable elements.

The conceptual site plans were distributed for pre-review by City Departments and local and State agencies that possibly have interest in the Program. The comments and/or conditions received by the various Departments and agencies are included in the Summary Memo. The City has also notified the owners of the subject parcels of the development of the Program. Staff assured the owners that this Program does not encumber their properties in any manner and that it is only intended to be a benefit to them if they would like to use it for development

or marketing of their properties. This Program does not limit other potential uses or development, as long as it is conformance with the City's Zoning Code.

FISCAL IMPACT:

The development of the Program has been funded with LEAP grant funding from HCD.

ATTACHMENTS:

A. Resolution w/Exhibit
B. Vicinity Map
C. Program Summary Memo

Attachment 'A'

RESOLUTION NO. 25-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING THE MIXED-USE DEVELOPMENT CONCEPTUAL DESIGNS PROGRAM

WHEREAS, the City of Kerman was awarded Local Early Action Planning (LEAP) grant funding from the California Department of Housing and Community Development (HCD) to help accelerate housing production and facilitate compliance to implement the sixth-cycle Regional House Needs Assessment; and

WHEREAS, the City of Kerman allocated a share of the City's awarded LEAP grant funding to develop the City's Mixed Use Development Conceptual Designs Program; and

WHEREAS, City Staff has been working alongside Precision Civil Engineering, consulting City Planner, to develop concept illustrations and exhibits for infill sites that are zoned mixed use; and

WHEREAS, the subject mixed use sites may be developed with the pre-approved conceptual site plans included as **Exhibit 'A'**;

WHEREAS, adoption of the pre-approved Mixed Use Development Conceptual Designs Program meets the goals and objectives as set forth by LEAP guidelines and the HCD; and

WHEREAS, there is no expiration date for the pre-approved Mixed Use Development Conceptual Designs Program unless development standards for the Mixed Use District are changed.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Kerman resolves as follows:

Section 1. The above recitals are true and correct and incorporated herein by reference.

Section 2. The City Council approves the Mixed Use Development Conceptual Designs Program.

Section 3. The City Council authorizes City Staff to implement Mixed Use Development Conceptual Designs Program and make minor modifications to ensure compliance with any local and/or State requirements throughout the Program's term.

Section 4. There is no expiration date for the Mixed Use Development Conceptual Designs Program.

Section 5. This resolution shall be effective upon adoption.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regularly scheduled meeting held on the 26th day of February 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

_____
Maria Pacheco
Mayor

ATTEST:

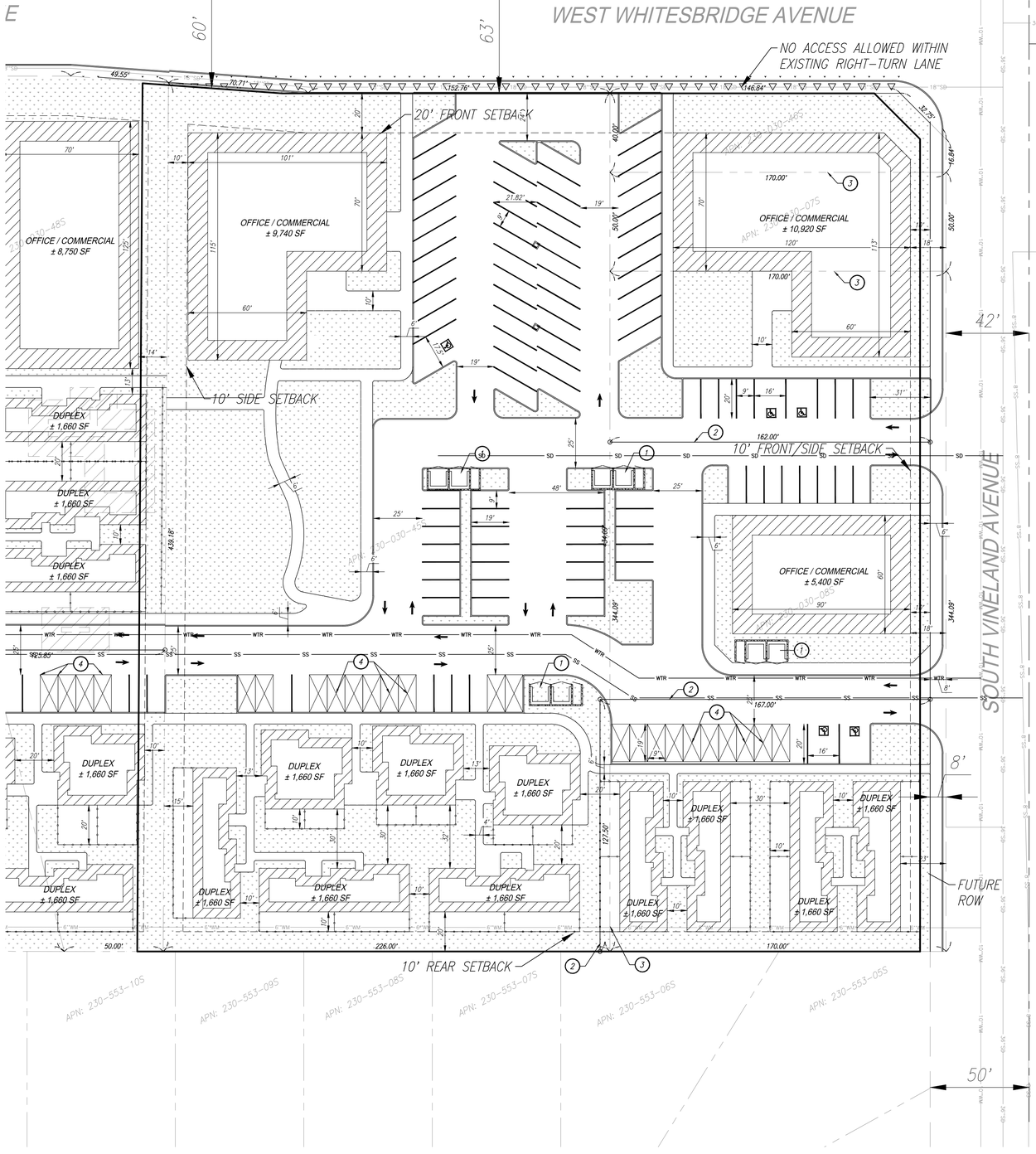
_____
Josie Camacho
City Clerk

Exhibit 'A'

MIXED USE DEVELOPMENT
CONCEPTUAL DESIGNS
PROGRAM
MASTER PLANS

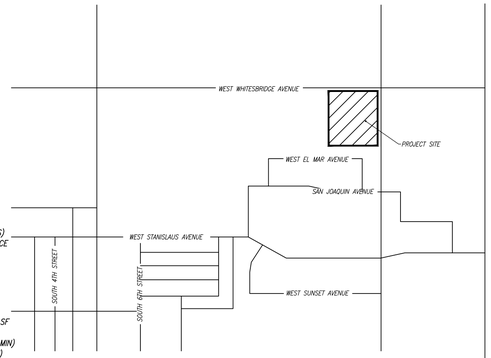
CONCEPTUAL LAYOUT 1

IN THE CITY OF KERMAN
FRESNO COUNTY, CALIFORNIA
PREPARED ON APRIL 1, 2024



SITE INFORMATION:

APN:	023-030-07S, 023-030-08S, 023-030-45S, 023-030-46S	
ZONING:	EXISTING:	M-U MIXED USE
	PROPOSED:	NO CHANGE
PLANNED LAND USE:	EXISTING:	MIXED USE
	PROPOSED:	NO CHANGE
SITE ADDRESS:	14527, 14559 WHITESBRIDGE AVENUE 23, 37 SOUTH VINELAND AVENUE KERMAN, CA 93630	
SITE AREA:	NET:	168,438 SF OR 3.86 ACRES
	GROSS:	171,757 SF OR 3.94 ACRES
BUILDING HEIGHT:	MAXIMUM:	35 FT
	PROPOSED:	11 FT
LAND USE:	EXISTING:	VACANT
	PROPOSED:	20 RESIDENTIAL UNITS (10 DUPLEXES) 26,060 SF. OFFICE/COMMERCIAL SPACE
BUILDING AREA:	EXISTING:	0 SF
	PROPOSED:	19,260 SF
COVERAGE:	11.4%	
INTENSITY/DENSITY:	0.2 FAR / 5.2 DU/AC	
AUTO PARKING:	SPACES REQUIRED:	110 (1 STALL PER 400 SF FOR OFFICE + 4.5 STALL PER DUPLEX)
	SPACES PROVIDED:	119 STALLS (19' BY 9' MIN)
	COVERED PARKING REQUIRED:	20 STALLS (1 PER UNIT)
	COVERED PARKING PROVIDED:	20 STALLS
	ACCESSIBLE PARKING REQUIRED:	5 STALLS (20' BY 16' MIN)
	ACCESSIBLE PARKING PROVIDED:	5 STALLS
	EV PARKING REQUIRED:	11 STALLS



VICINITY MAP
NOT TO SCALE

LEGEND:

- EXISTING RIGHT OF WAY
- EXISTING PROPERTY/PARCEL LINE
- PROJECT BOUNDARY
- PROPOSED SIDEWALK
- EXISTING ROAD CENTERLINE
- PROPOSED RIGHT OF WAY
- PROPOSED LOT/PARCEL LINE
- WATER MAIN (TO REMAIN)
- SANITARY SEWER MAIN (TO REMAIN)
- STORM DRAIN MAIN (TO REMAIN)
- PROPOSED SANITARY SEWER ALIGNMENTS
- PROPOSED STORM DRAIN ALIGNMENTS
- SETBACK PER KERMAN MUNICIPAL CODE
- EXISTING STRUCTURE
- PROPOSED LANDSCAPED AREA
- PROPOSED STRUCTURE

NOTES:

1. PROPOSED TRASH ENCLOSURE
2. PROPOSED LOT/PARCEL LINE
3. EXISTING PARCEL LINE TO BE REMOVED
4. PROPOSED COVERED PARKING/CARPORT

NOTES:

1. ALL EXISTING TREES AND STRUCTURES SHALL BE REMOVED.
2. SOURCE OF WATER SUPPLY SHALL BE THE CITY OF KERMAN.
3. SOURCE OF SEWER DISPOSAL SHALL BE THE CITY OF KERMAN.
4. ALL PUBLIC UTILITIES (PG&E, SBC, COMCAST, WATER AND SEWER) SHALL BE INSTALLED.
5. ALL IMPROVEMENTS PROPOSED (SEWER, WATER, STORM DRAIN, CURB, GUTTER, STREETLIGHTS, SIDEWALK AND PERMANENT PAVEMENT) SHALL BE CONSTRUCTED TO CITY STANDARDS.
6. NO CANALS OR PRIVATE DITCHES PRESENT ON SITE.
7. WATER MAIN, SANITARY SEWER MAIN, STORM DRAIN MAIN TO BE CONNECTED.
8. UNDERGROUND EXISTING OVERHEAD UTILITIES ALONG DEVELOPMENT FRONTAGE.

SCALE 1" = 30'
0 15' 30' 60'

DISCLAIMER: A FORMAL BOUNDARY SURVEY HAS NOT BEEN DONE FOR THE DRAFTING OF THIS EXHIBIT.

PLANNING ● SURVEYING ● CIVIL ENGINEERING
1334 O STREET, FRESNO, CALIFORNIA 93721
TEL: 559.449.4500 FAX: 559.449.4515
WWW.PRECISIONENG.NET

PRECISION CIVIL ENGINEERING, INC.

PROJECT TITLE: CONCEPTUAL MIXED USE PROGRAM
SHEET DESCRIPTION: CONCEPTUAL LAYOUT
COUNTY OF: FRESNO
CITY OF: KERMAN

PREPARED FOR:
CITY OF KERMAN
850 S MADERA AVENUE
KERMAN, CA 93630
(559) 846-9386

REVISIONS
6/25/2024
7/17/2024

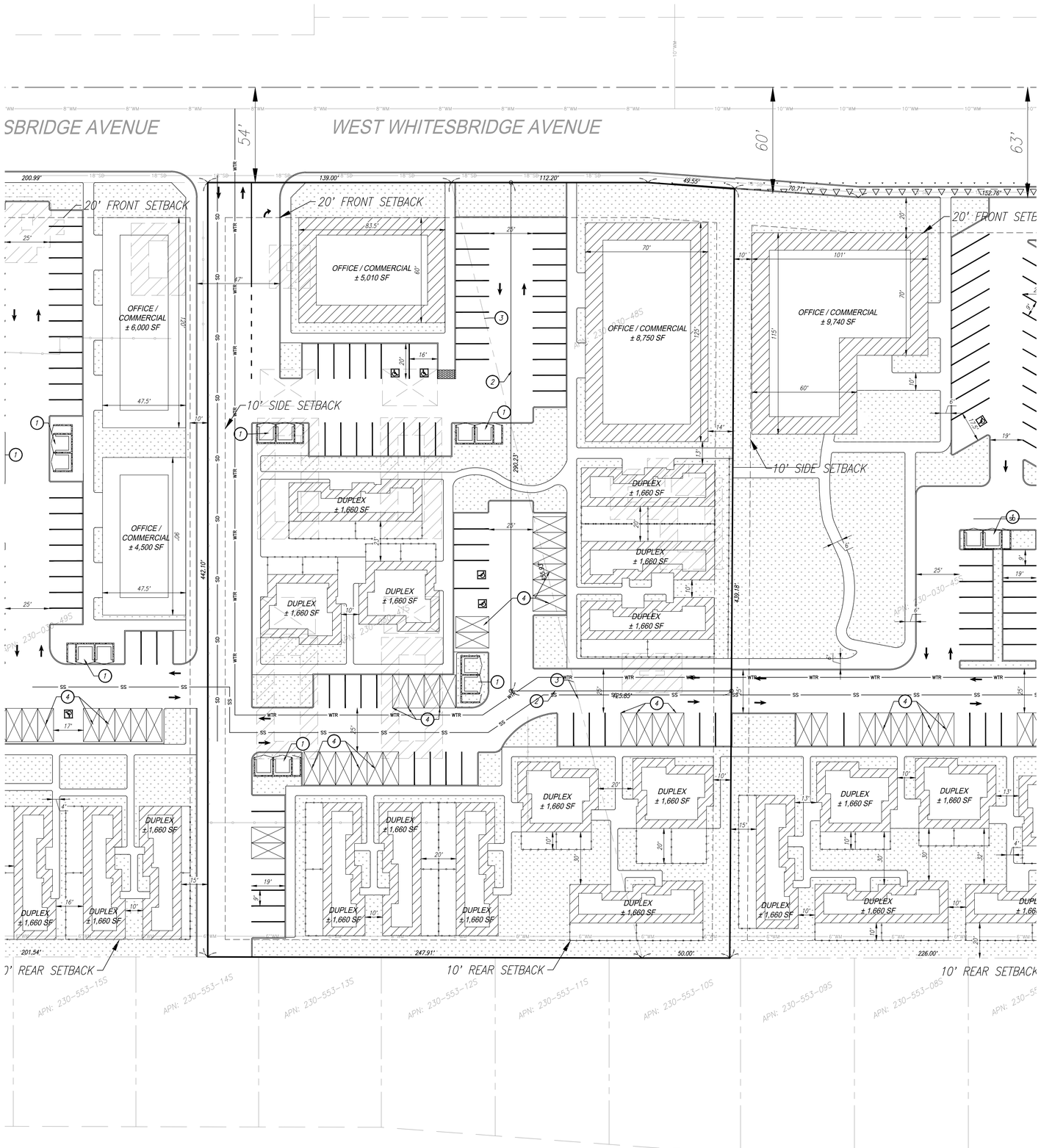
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DATE: 12/11/2024

SHEET NUMBER: 1 OF 1
JOB NUMBER: 21-009.6

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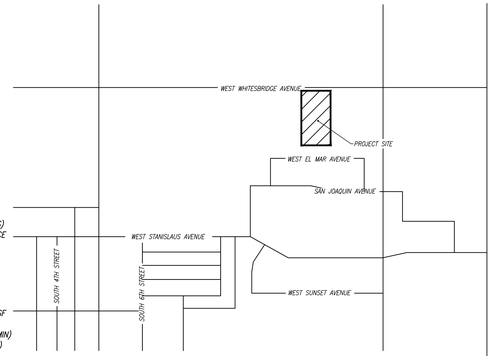
CONCEPTUAL LAYOUT 2

IN THE CITY OF KERMAN
FRESNO COUNTY, CALIFORNIA
PREPARED ON APRIL 1, 2024



SITE INFORMATION:

APN:	023-030-47S, 023-030-48S	
ZONING:	EXISTING:	M-U MIXED USE
	PROPOSED:	NO CHANGE
PLANNED LAND USE:	EXISTING:	MIXED USE
	PROPOSED:	NO CHANGE
SITE ADDRESS:	14583, 14603 WHITESBRIDGE AVENUE KERMAN, CA 93630	
SITE AREA:	NET:	131,551 SF OR 3.02 ACRES
	GROSS:	131,551 SF OR 3.02 ACRES
BUILDING HEIGHT:	MAXIMUM:	35 FT
	PROPOSED:	11 FT
LAND USE:	EXISTING:	4 MULTI-FAMILY APARTMENTS
	PROPOSED:	24 RESIDENTIAL UNITS (12 DUPLEXES) 13,760 SF. OFFICE/COMMERCIAL SPACE
BUILDING AREA:	EXISTING:	13,870 SF
	PROPOSED:	33,680 SF
COVERAGE:	25.6%	
INTENSITY/DENSITY:	0.1 FAR / 7.9 DU/AC	
AUTO PARKING:	SPACES REQUIRED:	89 (1 STALL PER 400 SF FOR OFFICE + 4.5 STALL PER DUPLEX)
	SPACES PROVIDED:	91 STALLS (19' BY 9' MIN)
	COVERED PARKING REQUIRED:	24 STALLS (1 PER UNIT)
	COVERED PARKING PROVIDED:	24 STALLS
	ACCESSIBLE PARKING REQUIRED:	4 STALLS (20' BY 16' MIN)
	ACCESSIBLE PARKING PROVIDED:	4 STALLS
	EV PARKING REQUIRED:	9 STALLS



VICINITY MAP

NOT TO SCALE

LEGEND:

- EXISTING RIGHT OF WAY
- EXISTING PROPERTY/PARCEL LINE
- PROJECT BOUNDARY
- PROPOSED SIDEWALK
- EXISTING ROAD CENTERLINE
- PROPOSED RIGHT OF WAY
- PROPOSED LOT/PARCEL LINE
- WATER MAIN (TO REMAIN)
- SANITARY SEWER MAIN (TO REMAIN)
- STORM DRAIN MAIN (TO REMAIN)
- PROPOSED SANITARY SEWER ALIGNMENTS
- PROPOSED STORM DRAIN ALIGNMENTS
- SETBACK PER KERMAN MUNICIPAL CODE
- EXISTING STRUCTURE
- PROPOSED LANDSCAPED AREA
- PROPOSED STRUCTURE

NOTES:

1. PROPOSED TRASH ENCLOSURE
2. PROPOSED LOT/PARCEL LINE
3. EXISTING PARCEL LINE TO TO BE REMOVED
4. PROPOSED COVERED PARKING/CARPORT

NOTES:

1. ALL EXISTING TREES AND STRUCTURES SHALL BE REMOVED.
2. SOURCE OF WATER SUPPLY SHALL BE THE CITY OF KERMAN.
3. SOURCE OF SEWER DISPOSAL SHALL BE THE CITY OF KERMAN.
4. ALL PUBLIC UTILITIES (PG&E, SBC, COMCAST, WATER AND SEWER) SHALL BE INSTALLED.
5. ALL IMPROVEMENTS PROPOSED (SEWER, WATER, STORM DRAIN, CURB, GUTTER, STREETLIGHTS, SIDEWALK AND PERMANENT PAVEMENT) SHALL BE CONSTRUCTED TO CITY STANDARDS.
6. NO CANALS OR PRIVATE DITCHES PRESENT ON SITE.
7. WATER MAIN, SANITARY SEWER MAIN, STORM DRAIN MAIN TO BE CONNECTED.
8. UNDERGROUND EXISTING OVERHEAD UTILITIES ALONG DEVELOPMENT FRONTAGE.

SCALE 1" = 30'

0 15' 30' 60'

DISCLAIMER: A FORMAL BOUNDARY SURVEY HAS NOT BEEN DONE FOR THE DRAFTING OF THIS EXHIBIT.

PLANNING ● SURVEYING ● CIVIL ENGINEERING
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PRECISION CIVIL ENGINEERING, INC.

PROJECT TITLE: CONCEPTUAL MIXED USE PROGRAM
SHEET DESCRIPTION: CONCEPTUAL LAYOUT
CITY OF: KERMAN
COUNTY OF: FRESNO

PREPARED FOR:
CITY OF KERMAN
850 S MADERA AVENUE
KERMAN, CA 93630
(559) 846-9386

REVISIONS:
6/25/2024
7/17/2024

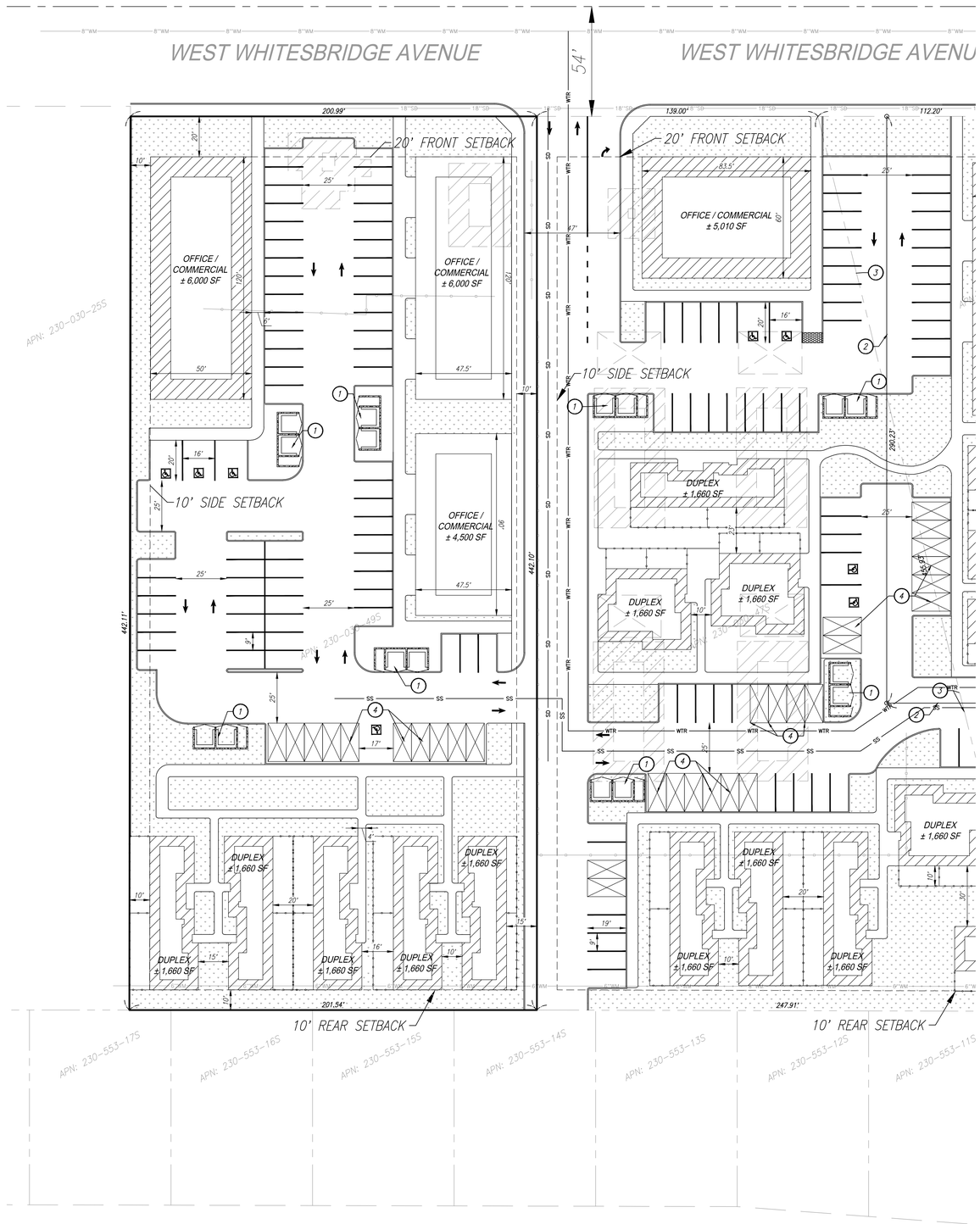
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CHECKED BY: BE
DATE: 12/11/2024

SHEET NUMBER: 1 OF 1
JOB NUMBER: 21-009.6

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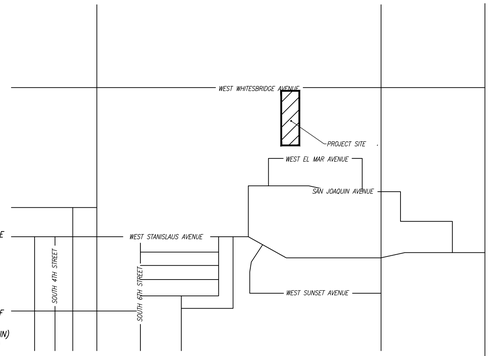
CONCEPTUAL LAYOUT 3

IN THE CITY OF KERMAN
FRESNO COUNTY, CALIFORNIA
PREPARED ON APRIL 1, 2024



SITE INFORMATION:

APN:	023-030-49S	
ZONING:	EXISTING:	M-U MIXED USE
	PROPOSED:	NO CHANGE
PLANNED LAND USE:	EXISTING:	MIXED USE
	PROPOSED:	NO CHANGE
SITE ADDRESS:	14637 WHITESBRIDGE AVENUE KERMAN, CA 93630	
SITE AREA:	NET:	89,298 SF OR 2.05 ACRES
	GROSS:	89,298 SF OR 2.05 ACRES
BUILDING HEIGHT:	MAXIMUM:	35 FT
	PROPOSED:	11 FT
LAND USE:	EXISTING:	SINGLE-FAMILY RESIDENCE
	PROPOSED:	10 RESIDENTIAL UNITS (5 DUPLEXES) 15,975 SF. OFFICE/COMMERCIAL SPACE
BUILDING AREA:	EXISTING:	2,390 SF
	PROPOSED:	24,275 SF
COVERAGE:	27.8%	
INTENSITY/DENSITY:	0.2 FAR / 4.9 DU/AC	
AUTO PARKING:	SPACES REQUIRED:	63 (1 STALL PER 400 SF FOR OFFICE + 4.5 STALL PER DUPLEX)
	SPACES PROVIDED:	66 STALLS (19' BY 9' MIN)
	COVERED PARKING REQUIRED:	10 STALLS (1 PER UNIT)
	COVERED PARKING PROVIDED:	10 STALLS
	ACCESSIBLE PARKING REQUIRED:	3 STALLS (20' BY 16' MIN)
	ACCESSIBLE PARKING PROVIDED:	4 STALLS
	EV PARKING REQUIRED:	6 STALLS



VICINITY MAP
NOT TO SCALE

LEGEND:

- EXISTING RIGHT OF WAY
- EXISTING PROPERTY/PARCEL LINE
- PROJECT BOUNDARY
- PROPOSED SIDEWALK
- EXISTING ROAD CENTERLINE
- PROPOSED RIGHT OF WAY
- WATER MAIN (TO REMAIN)
- SANITARY SEWER MAIN (TO REMAIN)
- STORM DRAIN MAIN (TO REMAIN)
- PROPOSED SANITARY SEWER ALIGNMENTS
- PROPOSED STORM DRAIN ALIGNMENTS
- SETBACK PER KERMAN MUNICIPAL CODE
- EXISTING STRUCTURE
- PROPOSED LANDSCAPED AREA
- PROPOSED STRUCTURE

NOTES:

(1) PROPOSED TRASH ENCLOSURE

(4) PROPOSED COVERED PARKING/CARPORT

NOTES:

1. ALL EXISTING TREES AND STRUCTURES SHALL BE REMOVED.
2. SOURCE OF WATER SUPPLY SHALL BE THE CITY OF KERMAN.
3. SOURCE OF SEWER DISPOSAL SHALL BE THE CITY OF KERMAN.
4. ALL PUBLIC UTILITIES (PG&E, SBC, COMCAST, WATER AND SEWER) SHALL BE INSTALLED.
5. ALL IMPROVEMENTS PROPOSED (SEWER, WATER, STORM DRAIN, CURB, GUTTER, STREETLIGHTS, SIDEWALK AND PERMANENT PAVEMENT) SHALL BE CONSTRUCTED TO CITY STANDARDS.
6. NO CANALS OR PRIVATE DITCHES PRESENT ON SITE.
7. WATER MAIN, SANITARY SEWER MAIN, STORM DRAIN MAIN TO BE CONNECTED.
8. UNDERGROUND EXISTING OVERHEAD UTILITIES ALONG DEVELOPMENT FRONTAGE.

SCALE 1" = 30'
0 15' 30' 60'

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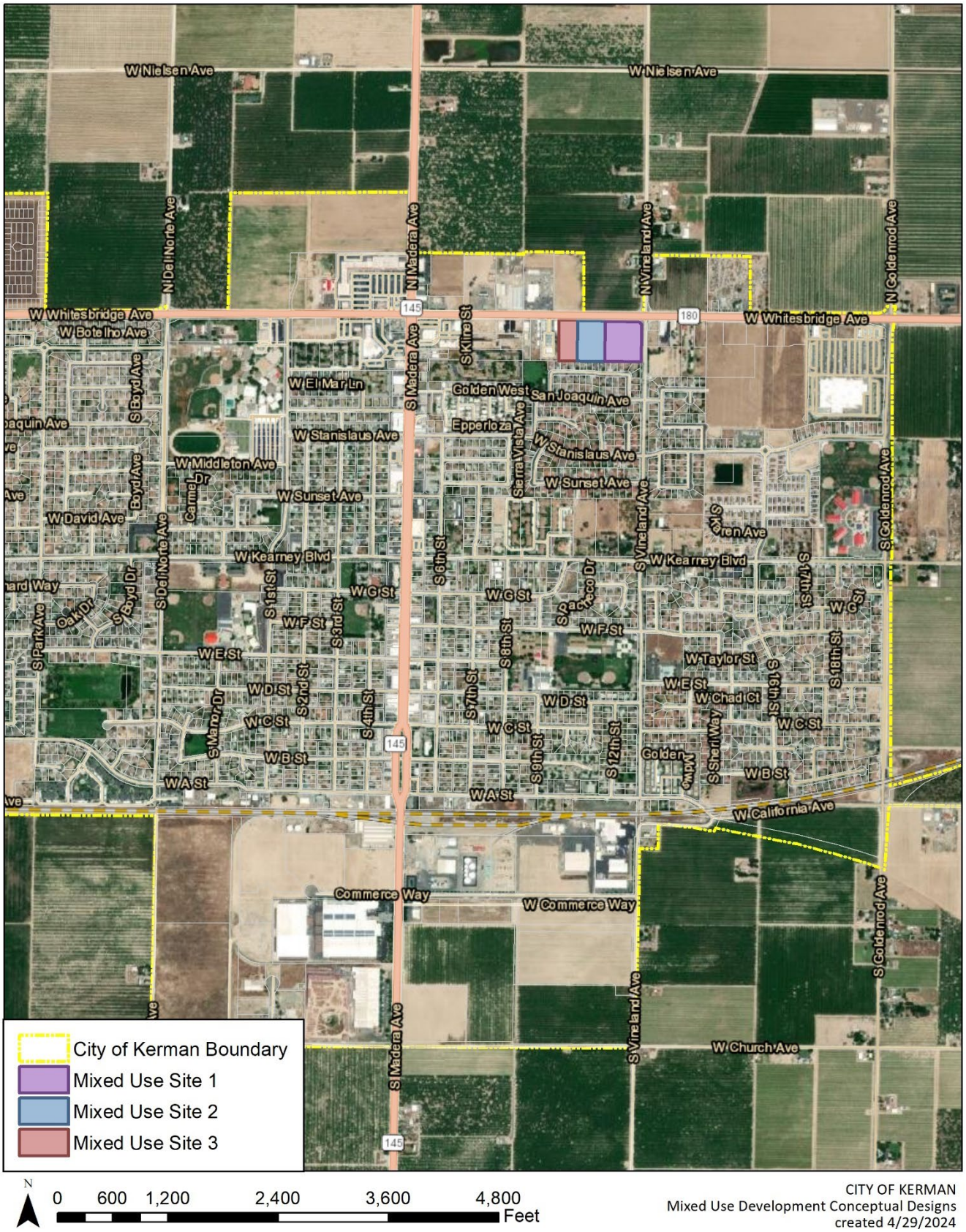


Figure 2-1 Location of Mixed Use Sites

CITY OF KERMAN

MIXED USE DEVELOPMENT CONCEUPTUAL DESIGNS

SUMMARY MEMO

June 24, 2024

Prepared by:

Precision Civil Engineering

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1 EXECUTIVE SUMMARY

The City of Kerman Mixed Use Development Conceptual Designs Summary Memo ("Memo") was prepared by Precision Civil Engineering on behalf of the City of Kerman. The main purpose of the Memo is to provide background information and introduce designs of the Mixed Use Development Conceptual Designs that is developed under funding from the Local Early Action Planning (LEAP) program. The Memo provides context of the identified properties within the Kerman city limits that are planned for mixed use development, including current site conditions, street frontage and circulation, and development standards of the sites to inform design. The Memo also provides the final conceptual site designs of the mixed use sites and a short description of the designs.

There are a total of three (3) mixed use sites suitable for development in Kerman, located on the southwest corner of West Whitesbridge Avenue and South Vineland Avenue. Each section of the Memo evaluates the suitability of developing mixed uses on each site and drafts a conceptual design to aid future development. According to the conceptual designs, the sites could potentially accommodate a total of 27 duplexes (34 dwelling units) and 56,310 office or commercial space. The conceptual designs are pre-reviewed and pre-approved by agencies including California Department of Transportation (Caltrans), North Central Fire Protection District, Kerman Planning Department, Kerman Engineering Department, and Kerman Police Department. With pre-approved conceptual designs, the design, approval, and permit process at the City would take less time, thereby lowering costs for developers and creating dwelling units at an accelerated pace.

1.1 Document Format

This Memo contains five (5) sections plus an appendix. **Section 1 EXECUTIVE SUMMARY** provides an overview of the purpose of the Memo. **Section 2 INTRODUCTION** provides the basis of the regulatory background and an overview of the Project. **Section 3** through **Section 5** provides the context evaluation, circulation evaluation, design and sustainability, and graphic product of Site 1 through 3, respectively.

2 INTRODUCTION

The City of Kerman Mixed Use Development Conceptual Designs Summary Memo ("Memo") was prepared by Precision Civil Engineering (PCE) on behalf of the City of Kerman ("City"). The purpose of the Memo is to summarize the City's Mixed Use Development Conceptual Designs ("Program") which is funded by the Local Early Action Planning ("LEAP") Grant Program for the purposes of accelerating housing production and facilitating compliance to implement the sixth-cycle Regional Housing Needs Assessment ("RHNA"). In particular, this Memo provides context of three (3) sites within the Kerman city limits that are planned for mixed use development, including current site conditions, street frontage and circulation, and development standards of the sites to inform design. The Memo also provides the final conceptual site designs of the mixed use sites and a short description of the designs.

About the Local Early Action Planning Grant Program

The Local Early Action Planning (LEAP) Grant Program is administered by the California Department of Housing and Community Development (HCD) with the purpose to provide grants and technical assistance to local governments for the preparation and adoption of planning documents and process improvements that: 1) accelerate housing production and 2) facilitate compliance to implement the sixth-cycle Regional Housing Needs Assessment. The City of Kerman was awarded a LEAP planning grant to implement the City's Mixed Use Development Conceptual Designs ("Program").

About the Mixed Use Development Conceptual Designs

Per the City's LEAP planning grant application, the Program intends to *"provide concept illustrations and exhibits for Infill Site Mixed Use Development. With pre-approved design concepts, the design/approval/permit process at the City will take less time, thereby lowering costs for developers and creating dwelling units at an accelerated pace.*" Program tasks include 1) property context evaluation, 2) environmental design and sustainability, 3) public safety and traffic, 4) overall theme and program intentions, and 5) the graphic products. The final deliverable resulting from Program implementation will be three (3) mixed use development conceptual master plans that are pre-reviewed by agencies including Caltrans, North Central Fire Protection District, Kerman Planning Department, Kerman Engineering Department, and Kerman Police Department. It should be noted that the residential portion of these master plans utilize the pre-approved duplex designs produced through another LEAP funded program, the City of Kerman's Multi-Family Conceptual Design Program. Utilization of the pre-approved duplex designs further enhances the intention of the Program, which is to lower costs and increase pace of the development of dwelling units.

Relationship to General Plan and Housing Element

The City of Kerman 2040 General Plan ("General Plan") was adopted in July 2020. The General Plan indicates the City's role in managing future growth and development patterns through the regulation of the direction, rate, density, intensity, and arrangement of land uses. According to the General Plan, *"a community that is well-planned with a clear sense of place, a vibrant downtown, open spaces, and attractive neighborhoods enhances city image."* The General Plan also recognizes that compact development and infill development reduces the cost of providing infrastructure and public services compared to areas that are spread out, whereby "infill development" is defined in the General Plan as *"development of vacant or underutilized land (usually individual lots or leftover properties) within areas that are already largely developed."*

To support the City's dedication to growth management, compact urban form, infill development, and mixed use development, the General Plan establishes the following relevant goals and policies.

Goal LU-1 *To guide the development of a mix of land uses that fulfill residents' daily needs and provide recreational and entertainment amenities.*

> ***Policy LU-1.3 Mixed Use Development.*** *The City shall provide for the establishment of offices in existing residential structures, adjacent to Madera Avenue in the original historic townsite.*

Goal LU-3 *To create a land use pattern that protects agricultural and open space lands by promoting compact and centralized urban growth around the historical Kerman townsite.*

> ***Policy LU-3.2 Urban Form.*** *To maintain the City's compact form, the City shall maintain growth management controls by managing changes to the City's Sphere of Influence and incorporated City limits. Future changes to the City's Sphere of Influence will be managed by two growth lines, shown on Figure 3-2. Of the General Plan.*
>
> - *The City may consider requests to amend the current Sphere of Influence and City limits into Area 1 (shown on Figure 3-2 of the General Plan) based on the ability of the City to provide services to the area.*
> - *The City may consider requests to amend the current Sphere of Influence and City limits into Area 2 (shown on Figure 3-2 of the General Plan) if Area 1 has reached the 80 percent infill criteria (for residentially designated lands).*
> - *The City Council may, at that time, consider allowing development beyond the Area 1 Growth Boundary Line.*
> - *For any change in Sphere of Influence or City limits, the following considerations will be used:*
>   - *80 percent of Area 1's residentially designated land has been developed or has approved development plans.*
>   - *Residential housing needs such as affordable housing or a desire for a wider and more diverse range of housing.*
>   - *Community needs such as open space, recreational facilities, parks, schools, etc.*
>   - *Obstacles to growth such as cost of infrastructure, Williamson Act properties, etc.*
>   - *Economic development needs.*

Goal CIRC-1 *To provide a safe and efficient roadway system that serves all users and enhances the community of Kerman.*

> ***Policy CIRC-1.1. Consistency between Land Use and Transportation Planning.*** *The City shall ensure land use and transportation planning are cohesive, consistency, mutually supportive, and stive to reduce vehicle miles traveled (VMT). This will include:*
>
> - *Maintaining land use patterns that encourage people to walk, bicycle, or use public transit routinely for a significant number of their daily trips;*
> - *Using the City's provision of public services to direct development to the most appropriate locations; and*
> - *Promoting the infill of vacant land and redevelopment sites.*

The City of Kerman adopted the 2015-2023 Housing Element ("Housing Element") in 2016 to identify and address housing needs in the city in compliance with State housing law. The Housing Element is integrated in the General Plan. As part of the Housing Element process, the City developed a parcel-specific inventory of sites suitable for residential development in order to meet the City's Regional Housing Needs Allocation (RHNA) of 1,332 units. Growth management, compact urban form, and infill residential development are identified as ways to facilitate

the development of housing to meet the needs of current and future residents. To this end, the Housing Element establishes the following relevant goals and policies.

Goal HE-1 *To facilitate and encourage the provision of a range of housing types to meet the diverse needs of residents.*

> ***Policy HE-1.3 Direct Growth to Urban Areas.*** *The City shall continue to direct new growth to urban areas in order to protect natural resources.*
>
> ***Policy HE-1.4 Balanced and Orderly Growth.*** *The City shall promote balanced and orderly growth to minimize unnecessary development costs adding to the cost of housing.*
>
> ***Policy HE-1.5 Infill Housing Development.*** *The City shall encourage infill housing development on vacant, by-passed, and underutilized lots within existing developed areas where essential public infrastructure is available.*
>
> ***Policy HE-1.8 Design Standards for New Housing.*** *The City shall approve new housing in accordance with design standards that will ensure the safety, quality, integrity, and attractiveness of each housing unit.*

2.1 Mixed Use Development Sites

There are a total of ten (10) parcels that are planned and zoned for Mixed Use. Of these parcels, three (3) are owned by the City of Kerman. The three (3) parcels are located on the southeast corner of West Kearney Boulevard and South 3rd Street. They are currently accommodated by the Kerman Recreation Department, Kerman Community Center, and the Kerman Branch Library.

The other seven (7) parcels are located on the southwest corner of West Whitesbridge Avenue and South Vineland Avenue. There are existing dwelling units on three (3) of the parcels. These seven (7) parcels have the potential to be developed with mixed use in the foreseeable future. The parcels are further split into three (3) sites according to their ownership and likelihood to be developed by the same developer. **Figure 2-1** shows the location of the three (3) sites. **Table 2-1** provides the APN and size of each site.

Table 2-1 Mixed Use Sites List

#	APNs	Address	Acreage
Site 1	023-030-07S 023-090-08S 023-030-45S 023-090-46S	14527 Whitesbridge Avenue	3.86
Site 2	023-030-47S 023-030-48S	14603 Whitesbridge Avenue 14583 Whitesbridge Avenue	3.02
Site 3	023-030-49S	14607 Whitesbridge Avenue	2.05

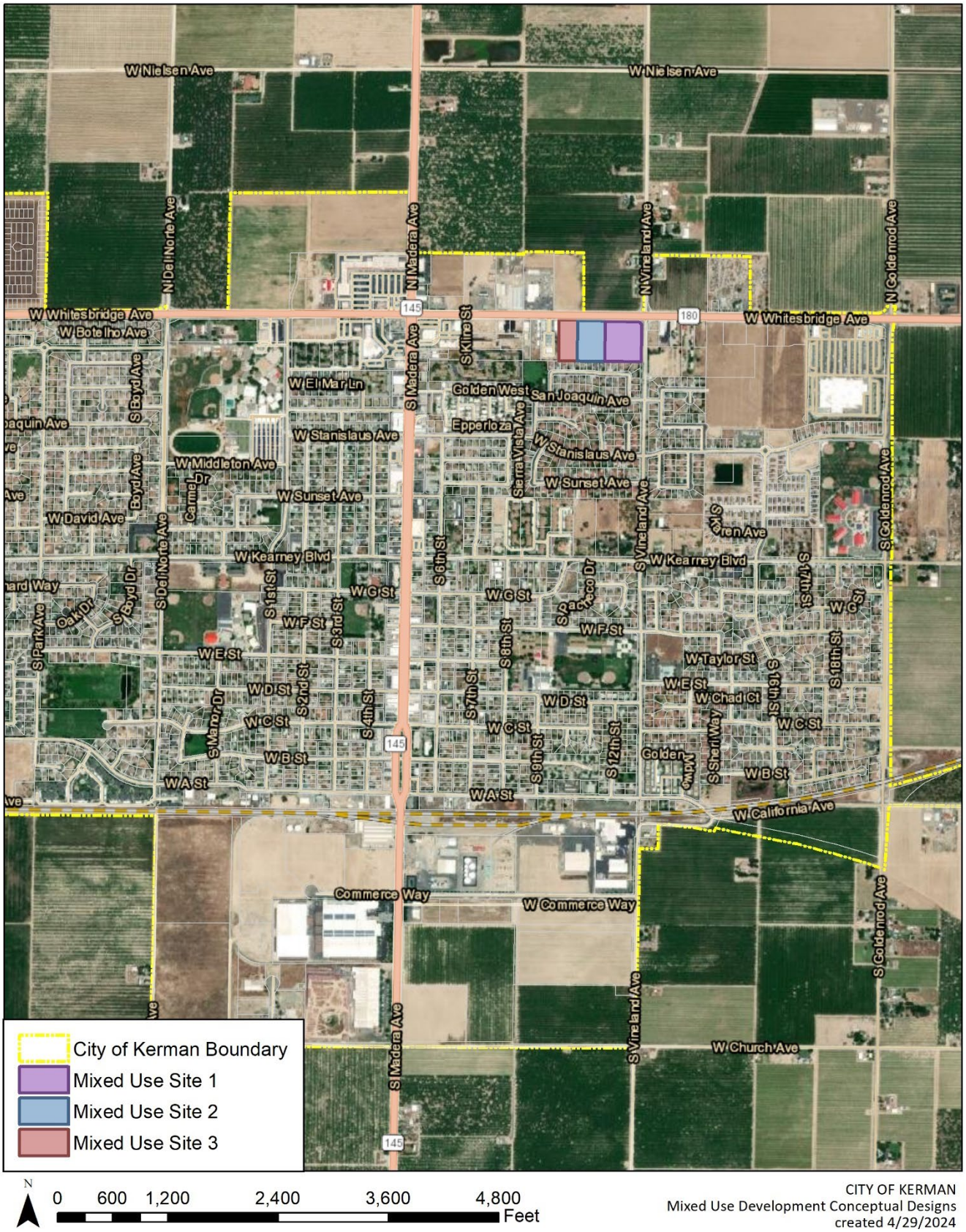


Figure 2-1 Location of Mixed Use Sites

3 MIXED USE SITE 1

Site 1 is located at 14527 Whitesbridge Avenue, Kerman, CA 93630, consisting of four (4) parcels that totals 168,438 square feet, or 3.86 acres. The site is identified by the Fresno County Assessor as Assessor's Parcel Numbers (APNs) 023-030-07S, 023-090-08S, 023-030-45S, and 023-030-46S. **Figure 3-1** shows the aerial image of the Project site.

3.1 Project Context Evaluation

This section discusses the existing site conditions, street frontage evaluation, and regulatory settings of the site. This discussion would inform opportunities and restrictions for the designs on the site. **Figure 3-2** shows the context evaluation items that are discussed below.

3.1.1 Existing Site Conditions

The Project site is currently vacant with no structures. The site contains existing improvements, including curb, gutter, sidewalks, overhead utilities, and streetlights along its northern boundary, Whitesbridge Avenue, and along its eastern boundary, South Vineland Avenue. The site is generally flat and does not contain any geologic formations. The existing biotic conditions and resources of the site can be defined primarily as ruderal and herbaceous vegetation with heavy alternation due to discing and grading. There are some trees along the west boundary of the site. No shrubs or water features are present on the site. The Project site is surrounded by single-family residential dwellings to the south and Site 2 to the west.

3.1.2 Street Frontage Evaluation

Whitesbridge Avenue, or State Route 180, a four-lane, east-west highway forms the northerly site boundary. The street frontage is approximately 115 feet wide. South Vineyard Avenue, a two-lane north-south collector forms the eastern site boundary. The site's frontage on Vineyard Avenue is approximately 410 feet long. The site is a corner lot and does not back into an alley.

It should be noted that Site 1's frontage on Whitesbridge Avenue is an existing right-turn lane. According to Caltrans' letter on February 15, 2024, it is anticipated that driveways will not be permitted within the existing right-turn lane on State Route 180. The full letter is attached in **Appendix A**.

Kerman Municipal Code Section 17.78 contains development standards for all development. According to this section, new development is required to provide the following, as applicable: street and road dedications; curb, gutters, and sidewalks; and driveways and parking aprons.

3.1.3 Existing Infrastructure and Amenities

This section assesses the sites' proximity to existing infrastructure and amenities, including water, sewer, sidewalks, parks, bus stops, and schools. Existing infrastructure directly impacts the construction costs and existing amenities provide residents with higher quality of life and social well-being. Site 1's proximity to infrastructure and amenities are listed below. Overall, Site 1 is connected to existing infrastructure and in proximity to amenities. This indicates the availability of existing infrastructure and amenities, fewer development costs, maximized use and efficiency, and increased quality of life.

- Water: There are existing 10-inch water mains running north-south along South Vineyard Avenue and east-west along West Whitesbridge Avenue. An 8-inch water main is planned east-west along the south boundary (approximately 12 feet from the rear property line) of the site.
- Sewer: There is an existing 8-inch sanitary sewer main running north-south along South Vineyard Avenue.

- Drainage: There is an existing 36-inch storm drain main running north-south along South Vineyard Avenue and an existing 18-inch storm drain main running east-west along West Whitesbridge Avenue.
- Parks: The nearest neighborhood park, Kiwanis Park, is approximately 665 feet from Site 1. Trini's Park is another part within 0.5 miles of Site 1.
- Schools: The nearest school, Goldenrod Elementary School, is approximately 0.6 miles from Site 1.
- Bus Stops: The nearest bus stop is approximately 0.5 miles from Site 1.

3.1.4 Regulatory Settings

To further assess the site's suitability for development and recognize opportunities and restrictions to the site, the permitted density, intensity, and development standards are analyzed for the site. Each evaluation item reviews and conforms to the City of Kerman Zoning Ordinance and General Plan.

Permitted Density and Intensity: According to the City of Kerman General Plan, the maximum density of the Mixed Use land use designation is 20 dwelling units per acre (du/ac). As such, a total of 77 dwelling units could be built on Site 1 at maximum density. The maximum intensity of the Mixed Use land use designation is 1.0 floor area ratio (FAR). It should be noted that design constraints specific to individual site (e.g., parking, setbacks, lot configuration) could limit the number of developable units.

Development Standards: The City of Kerman Municipal Code Section 17.12.030 regulates the height and setbacks of the Mixed Use Zone. The Mixed Use Zone has a maximum height of 35 feet and may be allowed up to 60 feet in height with the approval of a Conditional Use Permit. The setbacks include a 10 feet front yard, 10 feet rear yard if adjacent to residential zone, and 10 feet side yard. However, parcels fronting Whitesbridge Road shall have a front yard setback of 20 feet, as measured from the front property line. To the maximum extent possible, this area shall be landscaped. As a result, Site 1 requires a 20 feet front setback, 10 feet rear setback, and 10 feet side setback.

Parking Standards: According to the City of Kerman Municipal Code Section 17.12.070, *"Parking lots in the MU zone shall not be located between any structure and the front property line but shall be located along the side or rear of the parcel."* The number of parking spaces required is regulated in Section 17.28.040 if the Municipal Code. Some of the requirements are listed below.

- Multi-Unit Dwelling and Cluster Development: 1.5 spaces for each studio or 1 bedroom unit and 2 spaces for each unit 2 bedrooms or larger. 1 of the required parking spaces per unit shall be covered. Developments which contain 5 or more units shall supply guest parking spaces at a ratio of at least 0.5 parking spaces per unit.
- Office: Professional Office – 1 space per 400 square feet of gross floor area. Medical and Dental Office – 1 space per 200 square feet of gross floor area.
- Restaurant: 1 space for every 4 seats based upon the capacity of the fixed and movable seating area as determined under the Uniform Building Code. There shall also be 1 parking space for every 2 employees on any given shift.
- Retail Sales: For general retail activities, including neighborhood markets, secondhand stores, wholesalers, restricted retail sales, and other mixed-use developments which are predominantly retail and utilize a common parking area through mutual parking agreements, parking shall be provided at a ratio of at least 4.5 spaces for every 1,000 square feet of gross floor area. For uses such as retail stores principally displaying and selling furniture, floor coverings, pianos and organs, and large appliances, parking shall be provided at a ratio of at least 1 space per 600 square feet of floor area.

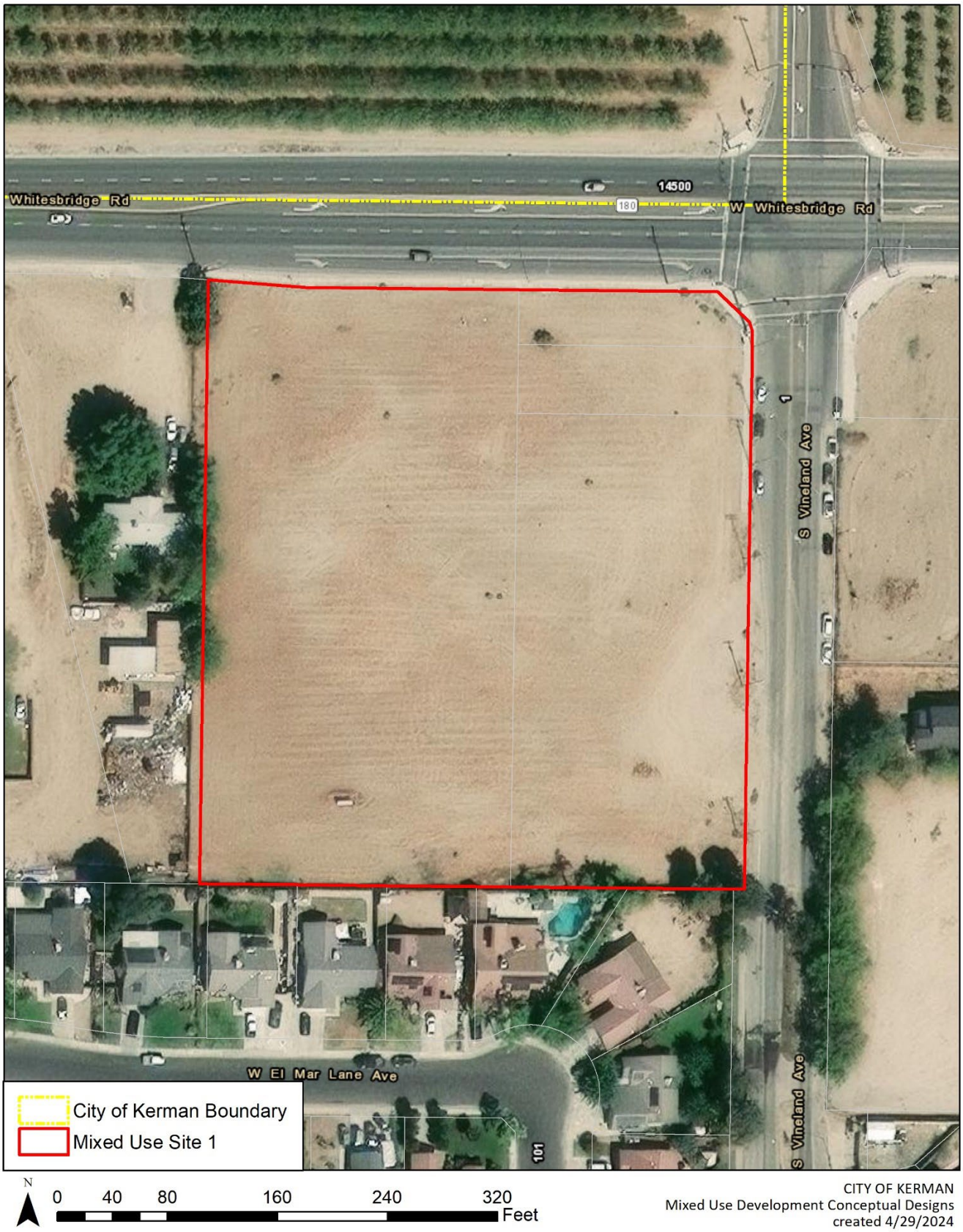


Figure 3-1 Aerial Imagery of Site 1

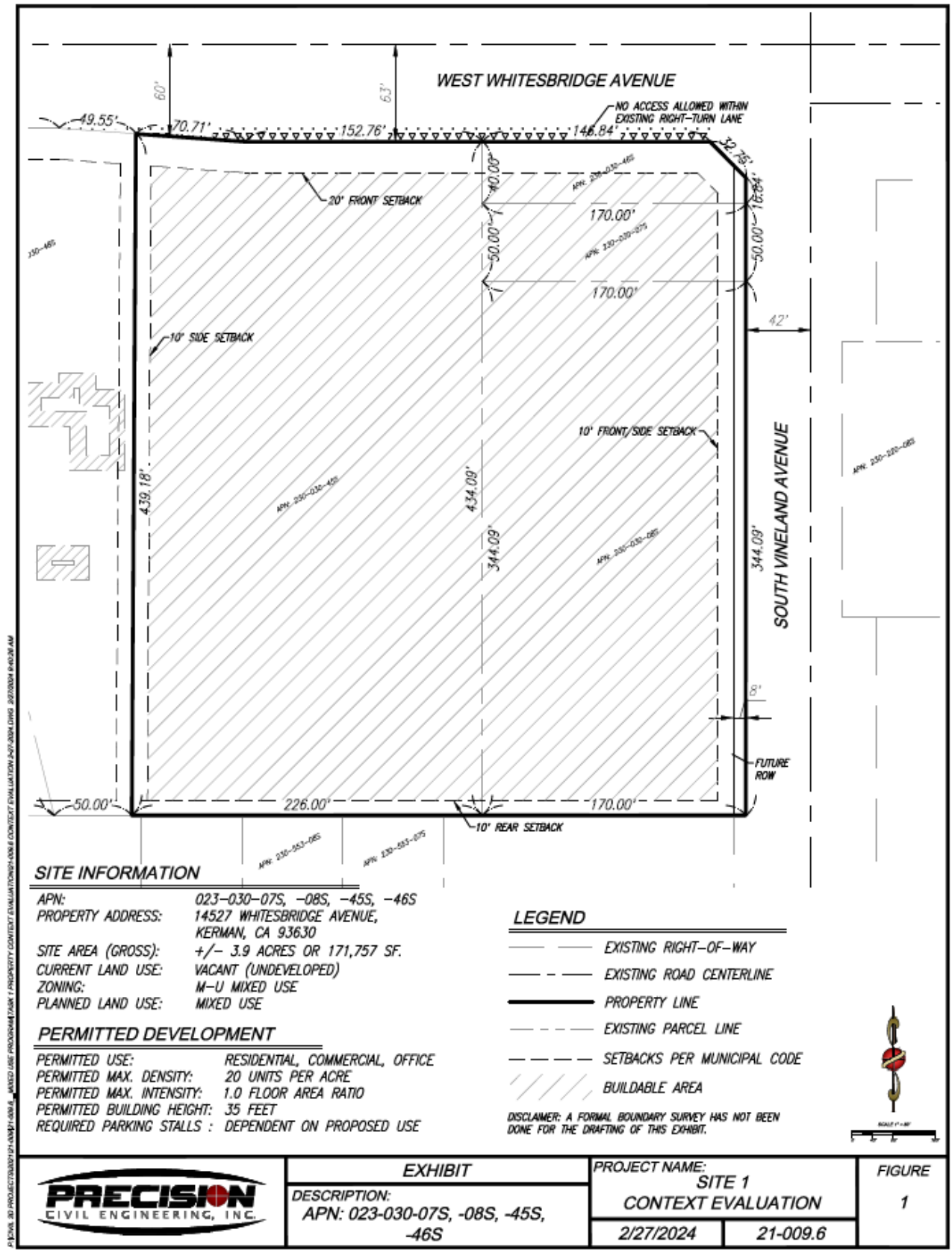


Figure 3-2 Context Evaluation: Site 1

3.2 Design and Sustainability

Site 1 conceptual master plan proposes the development of 10 duplexes, or 20 dwelling units, and three (3) buildings totaling 26,060 square feet of office or commercial space.

The design of Site 1 includes these characteristics:

- Land use: The proposed office and commercial space takes up approximately 70% of the site. This is due to the city's demand for office spaces. Currently, office spaces in Kerman are primarily concentrated in the central area of the city along Madera Avenue, or State Route 145.
- Vertical mixed use: Office/commercial buildings and residential units are separated by internal driveways, parking lots, and landscaping within the site. There are no existing mixed-use development within the city. As such, different uses being located within different buildings would better match the character of Kerman.
- Height: The proposed height of the structures is one (1) story. This is consistent with most structures in the city. Existing offices along Madera Avenue are one (1) story. Out of the ten (10) apartments in Kerman, seven (7) apartments are one (1) story, and three (3) apartments are two (2) stories. The existing apartment on Site 2 is also one (1) story. As such, it is anticipated that development in this area would be one (1) story. Additionally, one (1) story structures are less costly to design and construct, and developers would be able to utilize the pre-approved duplexes from Kerman's Multi-Family Conceptual Design Program, which further lowers design costs.

3.3 Public Safety and Traffic

The final conceptual master plan was routed to California Department of Transportation (Caltrans), North Central Fire Protection District, Kerman Planning Department, Kerman Engineering Department, and Kerman Police Department. This ensures that public safety (fire, police, and engineering) and traffic (Caltrans) issues are identified and resolved, if any. Comment letters provided by these agencies are attached in **Appendix B**. A summary of the comments from each agency is included below.

3.3.1 Caltrans

According to Caltrans, the segment of State Route 180 adjacent to Sites 1, 2, and 3 is a 4-lane conventional highway with an eastbound left turn lane and a right turn lane. The comments listed below are for Site 1, Site 2, and Site 3.

- Limiting adjacent access connections is essential for the safe and efficient operation of a major roadway. For the given speed limit of 50 mph, the ideal spacing between adjacent access connections (driveways, intersections, etc.) is recommended to be a minimum of 1,325 feet.
- Ideally, there should not be multiple driveways along a short segment of State Route 180. Thus, only one shared driveway is recommended between Site Plan 2024-02 and Site Plan 2024-03 along the frontage of these three site plans. A 16 foot-wide right-turn lane with a 6-foot-wide bike lane should be provided to this driveway.
- Caltrans requires that all three site plans be combined into a single master site plan to help with the assessment of the proposed driveways.
- Significant upgrades to the highway would be necessary, specifically the construction of a raised median across the frontage of all three site plans. Additional frontage improvements, such as wider sidewalk may be required along State Route 180. Offsite improvements for the proposed development should run

consistently with the newer development to the east. An additional Right of Way amount of 45 feet from the centerline may be required.

3.3.2 North Central Fire Protection District (NCFPD)

The comments, or conditions, offered by the NCFPD are in accordance with the 2022 California Building and Fire Codes. The comments are for Site 1, Site 2, and Site 3. Conditions are general as regulated per the 2022 California fire Code, including:

- Fire apparatus access lanes to within 150 feet of exterior walls of project building shall have an unobstructed width of 20 feet and be capable of supporting the weight of a fire apparatus in all weather. Fire access lanes shall be posted "NO PARKING-FIRE LANE". All weather fire access roads shall be established prior to start of combustible construction.
- Provide public and/or on-site fire hydrants so that no exterior wall of a project building is more than 400 feet from a hydrant. Hydrants shall be operational prior to the start of combustible construction.

3.3.3 Kerman Planning Department

The Planning Department leads the effort of developing the Program. The location, land use, and type of development on the site is designed under the consideration of local knowledge provided by the Planning Department.

3.3.4 Kerman Engineering Department

Preliminary conditions proposed by Engineering Department includes connections of utilities from Vineland Avenue, which are shown on the site plan. Improvements along adjacent roads are also required. All preliminary conditions are listed below.

1. Obtain water service from existing water main in Vineland Avenue.
2. Direct sewer flows to existing facility in Vineland Avenue.
3. Direct storm drain flows to existing facility in Vineland Avenue.
4. Underground existing overhead utilities along development frontage.
5. Construct Whitesbridge Road surface improvements per Caltrans standards.
6. Construct Vineland Avenue improvements per City standards.
7. Will require covenants, conditions and restrictions

3.3.5 Kerman Police Department

The Police Department is concerned about potential traffic hazards for entrance/exit to the site off of Whitesbridge Avenue. However, Site 1 does not propose entrance/exit off of Whitesbridge Avenue.

4 MIXED USE SITE 2

Site 2 is located at 14583 and 14603 Whitesbridge Avenue, Kerman, CA 93630, consisting of two (2) parcels that totals 131,551 square feet, or 3.02 acres. The site is identified by the Fresno County Assessor as Assessor's Parcel Numbers (APNs) 023-030-47S and 023-030-48S. **Figure 4-1** shows the aerial image of the Project site.

4.1 Project Context Evaluation

This section discusses the existing site conditions, street frontage evaluation, and regulatory settings of the site. This discussion would inform opportunities and restrictions for the designs on the site. **Figure 4-2** shows the context evaluation items that are discussed below.

4.1.1 Existing Site Conditions

The Project site currently includes four (4) apartment structures, totaling 12 units on APN 023-030-47S, and a primary single-family dwelling on APN 023-030-48S. The site contains existing improvements, including curb, gutter, sidewalks, and overhead utilities, along its northern boundary, Whitesbridge Avenue. The site is slightly higher on APN 023-030-48S but is generally flat and does not contain any geologic formations. The existing biotic conditions and resources of the site can be defined primarily as dirt driveways and urbanized lawn/grass. There are approximately seven (7) trees within the site and some trees along the eastern boundary of the site. No water features are present on the site. The Project site is surrounded by single-family residential dwellings to the south, Site 1 to the east, and Site 3 to the west.

4.1.2 Street Frontage Evaluation

Whitesbridge Avenue, or State Route 180, a four-lane, east-west highway forms the northerly site boundary. The street frontage is approximately 300 feet wide. The site is not a corner lot and does not back into an alley.

Kerman Municipal Code Section 17.78 contains development standards for all development. According to this section, new development is required to provide the following, as applicable: street and road dedications; curb, gutters, and sidewalks; and driveways and parking aprons.

4.1.3 Existing Infrastructure and Amenities

This section assesses the sites' proximity to existing infrastructure and amenities, including water, sewer, sidewalks, parks, bus stops, and schools. Existing infrastructure directly impacts the construction costs and existing amenities provide residents with higher quality of life and social well-being. Site 2's proximity to infrastructure and amenities are listed below. Overall, Site 2 is connected to existing infrastructure and in proximity to amenities. This indicates the availability of existing infrastructure and amenities, fewer development costs, maximized use and efficiency, and increased quality of life.

- Water: There is an existing 8-inch water main running east-west along West Whitesbridge Avenue. An 8-inch water main that would connect east to South Vineyard Avenue is planned east-west along the south boundary (approximately 12 feet from the rear property line) of the site.
- Sewer: There is an existing 8-inch sanitary sewer main running north-south along South Vineyard Avenue, which is approximately 425 feet east of the site.
- Drainage: There is an existing 18-inch storm drain main running east-west along West Whitesbridge Avenue.
- Parks: The nearest neighborhood park, Kiwanis Park, is approximately 350 feet from Site 2. Trini's Park is another park within 0.5 miles of Site 2.

- Schools: The nearest school, Goldenrod Elementary School, is approximately 0.6 miles from Site 2.
- Bus Stops: The nearest bus stop is approximately 0.5 miles from Site 2.

4.1.4 Regulatory Settings

To further assess the site's suitability for development and recognize opportunities and restrictions to the site, the permitted density, intensity, and development standards are analyzed for the site. Each evaluation item reviews and conforms to the City of Kerman Zoning Ordinance and General Plan.

Permitted Density and Intensity: According to the City of Kerman General Plan, the maximum density of the Mixed Use land use designation is 20 dwelling units per acre (du/ac). As such, a total of 60 dwelling units could be built on Site 2 at maximum density. The maximum intensity of the Mixed Use land use designation is 1.0 floor area ratio (FAR). It should be noted that design constraints specific to individual site (e.g., parking, setbacks, lot configuration) could limit the number of developable units.

Development Standards: The City of Kerman Municipal Code Section 17.12.030 regulates the height and setbacks of the Mixed Use Zone. The Mixed Use Zone has a maximum height of 35 feet and may be allowed up to 60 feet in height with the approval of a Conditional Use Permit. The setbacks include a 10 feet front yard, 10 feet rear yard if adjacent to residential zone, and 10 feet side yard. However, parcels fronting Whitesbridge Road shall have a front yard setback of 20 feet, as measured from the front property line. To the maximum extent possible, this area shall be landscaped. As a result, Site 2 requires a 20 feet front setback, 10 feet rear setback, and 10 feet side setback.

Parking Standards: According to the City of Kerman Municipal Code Section 17.12.070, *"Parking lots in the MU zone shall not be located between any structure and the front property line but shall be located along the side or rear of the parcel."* The number of parking spaces required is regulated in Section 17.28.040 of the Municipal Code. Some of the requirements are listed below.

- Multi-Unit Dwelling and Cluster Development: 1.5 spaces for each studio or 1 bedroom unit and 2 spaces for each unit 2 bedrooms or larger. 1 of the required parking spaces per unit shall be covered. Developments which contain 5 or more units shall supply guest parking spaces at a ratio of at least 0.5 parking spaces per unit.
- Office: Professional Office – 1 space per 400 square feet of gross floor area. Medical and Dental Office – 1 space per 200 square feet of gross floor area.
- Restaurant: 1 space for every 4 seats based upon the capacity of the fixed and movable seating area as determined under the Uniform Building Code. There shall also be 1 parking space for every 2 employees on any given shift.
- Retail Sales: For general retail activities, including neighborhood markets, secondhand stores, wholesalers, restricted retail sales, and other mixed-use developments which are predominantly retail and utilize a common parking area through mutual parking agreements, parking shall be provided at a ratio of at least 4.5 spaces for every 1,000 square feet of gross floor area. For uses such as retail stores principally displaying and selling furniture, floor coverings, pianos and organs, and large appliances, parking shall be provided at a ratio of at least 1 space per 600 square feet of floor area.



Figure 4-1 Aerial Imagery of Site 2

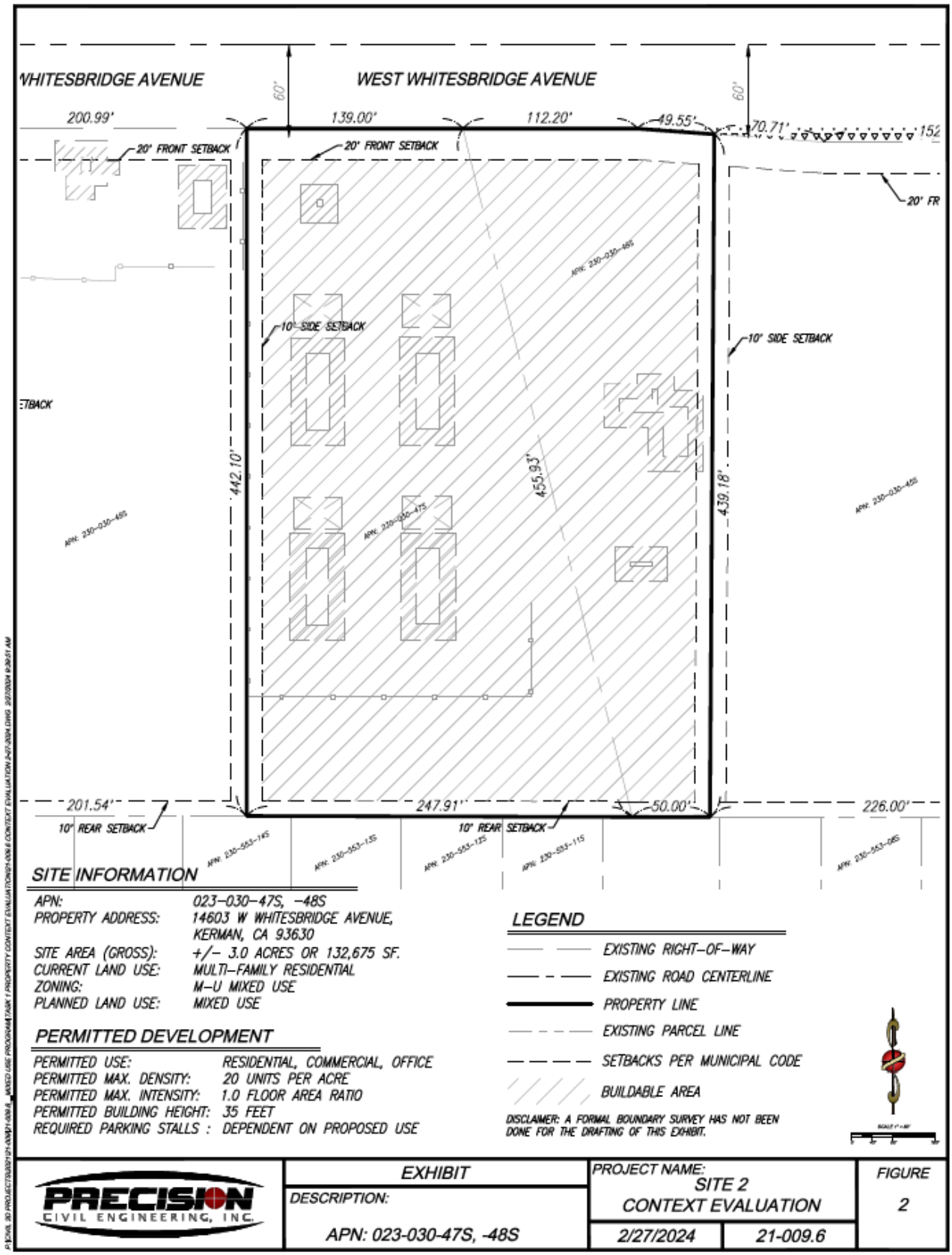


Figure 4-2 Context Evaluation: Site 2

4.2 Design and Sustainability

Site 2 conceptual master plan proposes the development of 12 duplexes, or 24 dwelling units, and two (2) buildings totaling 13,750 square feet of office or commercial space.

The design of Site 2 includes these characteristics:

- Land use: The proposed office and commercial space takes up approximately 30% of the site. This is due to the city's demand for office spaces. Office and commercial space are designed to be located near the site frontage, State Route 180. This allows offices, retail, and services to be exposed to passersby and residential dwellings to be shielded from traffic along the highway. Residential space takes up approximately 70% of the site. This doubles the number of units existing on site, ensuring that the site can accommodate existing as well as additional renters.
- Vertical mixed use: Office/commercial buildings and residential units are separated by internal driveways, parking lots, and landscaping within the site. There are no existing mixed-use developments within the city. As such, different uses being located within different buildings would better match the character of Kerman.
- Height: The proposed height of the structures is one (1) story. This is consistent with most structures in the city. Existing offices along Madera Avenue are one (1) story. Out of the ten (10) apartments in Kerman, seven (7) apartments are one (1) story, and three (3) apartments are two (2) stories. The existing apartment on Site 2 is also one (1) story. As such, it is anticipated that development in this area would be one (1) story. Additionally, one (1) story structures are less costly to design and construct, and developers would be able to utilize the pre-approved duplexes from Kerman's Multi-Family Conceptual Design Program, which further lowers design costs.

4.3 Public Safety and Traffic

The final conceptual master plan was routed to California Department of Transportation (Caltrans), North Central Fire Protection District, Kerman Planning Department, Kerman Engineering Department, and Kerman Police Department. This ensures that public safety (fire, police, and engineering) and traffic (Caltrans) issues are identified and resolved, if any. Comment letters provided by these agencies are attached in **Appendix B**. A summary of the comments from each agency is included below.

4.3.1 Caltrans

See **Section 3.3.1**.

4.3.2 North Central Fire Protection District (NCFPD)

The comments, or conditions, offered by the NCFPD are in accordance with the 2022 California Building and Fire Codes. The comments are for Site 1, Site 2, and Site 3. Conditions are general as regulated per the 2022 California fire Code, including:

- Fire apparatus access lanes to within 150 feet of exterior walls of project building shall have an unobstructed width of 20 feet and be capable of supporting the weight of a fire apparatus in all weather. Fire access lanes shall be posted "NO PARKING-FIRE LANE". All weather fire access roads shall be established prior to start of combustible construction.
- Provide public and/or on-site fire hydrants so that no exterior wall of a project building is more than 400 feet from a hydrant. Hydrants shall be operational prior to the start of combustible construction.

4.3.3 Kerman Planning Department

The Planning Department leads the effort of developing the Program. The location, land use, and type of development on the site is designed under the consideration of local knowledge provided by the Planning Department.

4.3.4 Kerman Engineering Department

Preliminary conditions proposed by Engineering Department includes connections of utilities from Vineland Avenue and Whitesbridge Road, which are shown on the site plan. Improvements along adjacent roads are also required. All preliminary conditions are listed below.

1. Obtain water service from existing water main in Whitesbridge Road.
2. Direct sewer flows to existing facility in Vineland Avenue.
3. Direct storm drain flows to existing facility in Whitesbridge Road.
4. Underground existing overhead utilities along development frontage.
5. Construct Whitesbridge Road surface improvements per Caltrans standards.
6. Will require covenants, conditions and restrictions.

4.3.5 Kerman Police Department

The Police Department is concerned about potential traffic hazards for entrance/exit to the site off of Whitesbridge Avenue. Traffic issues have been present for similar sites when people traveling westbound make a southbound turn into the site. The Police Department proposes adding a southbound turning lane on Whitesbridge Avenue to resolve this issue.

5 MIXED USE SITE 3

Site 3 is located at 14637 Whitesbridge Avenue, Kerman, CA 93630, consisting of one (1) parcel that is 89,298 square feet, or 2.05 acres. The site is identified by the Fresno County Assessor as Assessor's Parcel Number (APN) 023-030-49S. **Figure 5-1** shows the aerial image of the Project site.

5.1 Project Context Evaluation

This section discusses the existing site conditions, street frontage evaluation, and regulatory settings of the site. This discussion would inform opportunities and restrictions for the designs on the site. **Figure 5-2** shows the context evaluation items that are discussed below.

5.1.1 Existing Site Conditions

The Project site currently includes two (2) single-family dwellings. The site contains existing improvements, including curb, gutter, sidewalks, and overhead utilities, along its northern boundary, Whitesbridge Avenue. The site is generally flat and does not contain any geologic formations. The existing biotic conditions and resources of the site can be defined primarily as ruderal/dirt and urbanized lawn/grass. There are approximately nine (9) trees within the site. No water features are present on the site. The Project site is surrounded by single-family residential dwellings to the south, Site 2 to the east, and a fitness center and hardware store to the west.

5.1.2 Street Frontage Evaluation

Whitesbridge Avenue, or State Route 180, a four-lane, east-west highway forms the northerly site boundary. The street frontage is approximately 200 feet wide. The site is not a corner lot and does not back into an alley.

Kerman Municipal Code Section 17.78 contains development standards for all development. According to this section, new development is required to provide the following, as applicable: street and road dedications; curb, gutters, and sidewalks; and driveways and parking aprons.

5.1.3 Existing Infrastructure and Amenities

This section assesses the sites' proximity to existing infrastructure and amenities, including water, sewer, sidewalks, parks, bus stops, and schools. Existing infrastructure directly impacts the construction costs and existing amenities provide residents with higher quality of life and social well-being. Site 3's proximity to infrastructure and amenities are listed below. Overall, Site 3 is connected to existing infrastructure and in proximity to amenities. This indicates the availability of existing infrastructure and amenities, fewer development costs, maximized use and efficiency, and increased quality of life.

- Water: There is an existing 8-inch water main running east-west along West Whitesbridge Avenue. An 8-inch water main that would connect east to South Vineyard Avenue is planned east-west along the south boundary (approximately 12 feet from the rear property line) of the site. Another water main is planned along the west boundary of the site, running north-south.
- Sewer: There is an existing 8-inch sanitary sewer main running north-south along South Vineyard Avenue, which is approximately 720 feet east of the site.
- Drainage: There is an existing 18-inch storm drain main running east-west along West Whitesbridge Avenue that ends on the center of the site's northern boundary.
- Parks: The nearest neighborhood park, Kiwanis Park, is approximately 150 feet from Site 3. Trini's Park is another park within 0.5 miles of Site 3.

- Schools: The nearest school, Goldenrod Elementary School, is approximately 0.6 miles from Site 3. Kerman High School, Kerman Flyod Elementary School, and Kerman Unified Preschool are also located approximately 0.6 miles from the site.
- Bus Stops: The nearest bus stop is approximately 0.4 miles from Site 3.

5.1.4 Regulatory Settings

To further assess the site's suitability for development and recognize opportunities and restrictions to the site, the permitted density, intensity, and development standards are analyzed for the site. Each evaluation item reviews and conforms to the City of Kerman Zoning Ordinance and General Plan.

Permitted Density and Intensity: According to the City of Kerman General Plan, the maximum density of the Mixed Use land use designation is 20 dwelling units per acre (du/ac). As such, a total of 41 dwelling units could be built on Site 3 at maximum density. The maximum intensity of the Mixed Use land use designation is 1.0 floor area ratio (FAR). It should be noted that design constraints specific to individual site (e.g., parking, setbacks, lot configuration) could limit the number of developable units.

Development Standards: The City of Kerman Municipal Code Section 17.12.030 regulates the height and setbacks of the Mixed Use Zone. The Mixed Use Zone has a maximum height of 35 feet and may be allowed up to 60 feet in height with the approval of a Conditional Use Permit. The setbacks include a 10 feet front yard, 10 feet rear yard if adjacent to residential zone, and 10 feet side yard. However, parcels fronting Whitesbridge Road shall have a front yard setback of 20 feet, as measured from the front property line. To the maximum extent possible, this area shall be landscaped. As a result, Site 3 requires a 20 feet front setback, 10 feet rear setback, and 10 feet side setback.

Parking Standards: According to the City of Kerman Municipal Code Section 17.12.070, *"Parking lots in the MU zone shall not be located between any structure and the front property line but shall be located along the side or rear of the parcel."* The number of parking spaces required is regulated in Section 17.28.040 of the Municipal Code. Some of the requirements are listed below.

- Multi-Unit Dwelling and Cluster Development: 1.5 spaces for each studio or 1 bedroom unit and 2 spaces for each unit 2 bedrooms or larger. 1 of the required parking spaces per unit shall be covered. Developments which contain 5 or more units shall supply guest parking spaces at a ratio of at least 0.5 parking spaces per unit.
- Office: Professional Office – 1 space per 400 square feet of gross floor area. Medical and Dental Office – 1 space per 200 square feet of gross floor area.
- Restaurant: 1 space for every 4 seats based upon the capacity of the fixed and movable seating area as determined under the Uniform Building Code. There shall also be 1 parking space for every 2 employees on any given shift.
- Retail Sales: For general retail activities, including neighborhood markets, secondhand stores, wholesalers, restricted retail sales, and other mixed-use developments which are predominantly retail and utilize a common parking area through mutual parking agreements, parking shall be provided at a ratio of at least 4.5 spaces for every 1,000 square feet of gross floor area. For uses such as retail stores principally displaying and selling furniture, floor coverings, pianos and organs, and large appliances, parking shall be provided at a ratio of at least 1 space per 600 square feet of floor area.



Figure 5-1 Aerial Imagery of Site 3

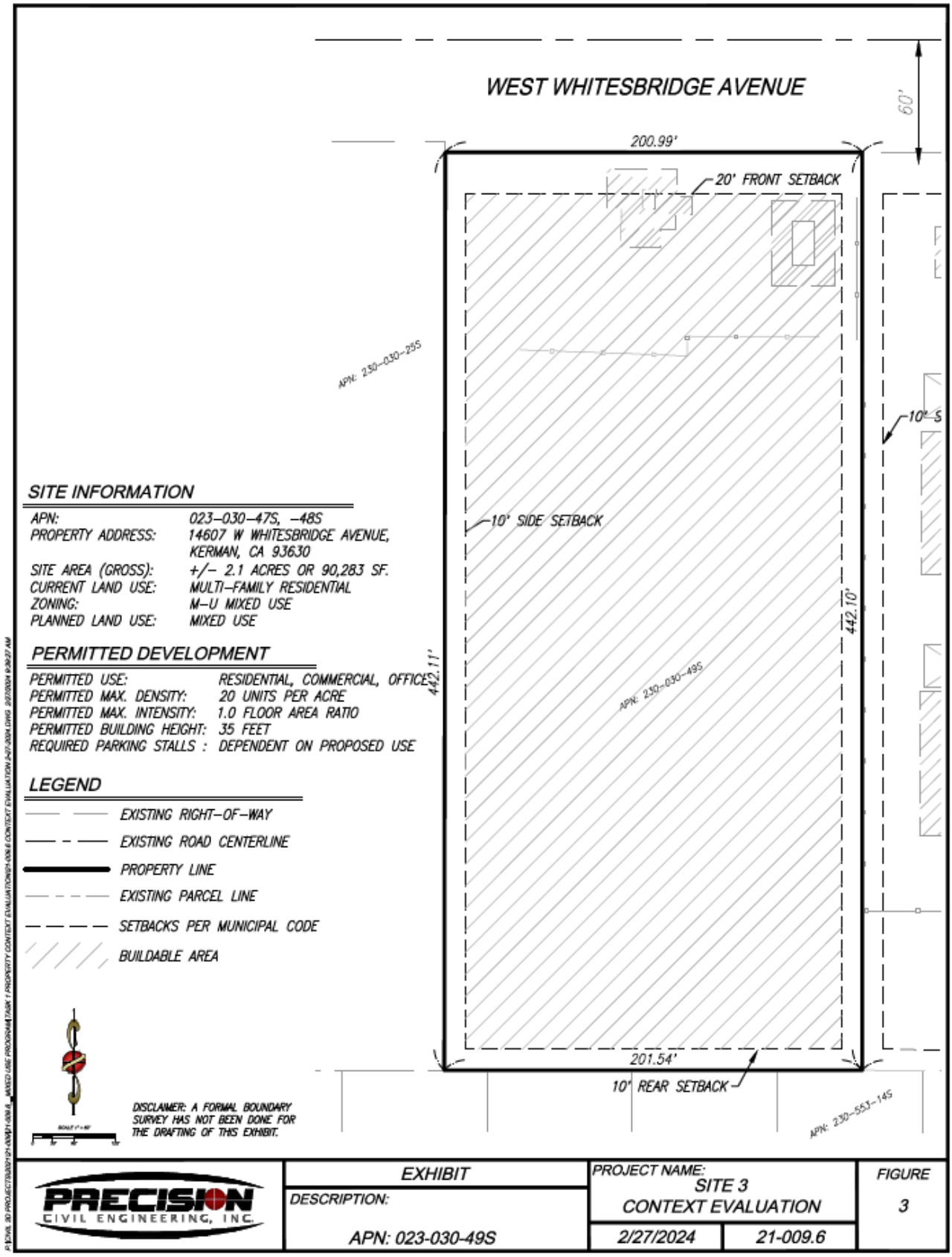


Figure 5-2 Context Evaluation: Site 3

5.2 Design and Sustainability

Site 3 conceptual master plan proposes the development of 5 duplexes, or 10 dwelling units, and three (3) buildings totaling 16,500 square feet of office or commercial space.

The design of Site 3 includes these characteristics:

- Land use: The proposed office and commercial space takes up approximately 70% of the site. This is due to the city's demand for office spaces. Office and commercial space are designed to be located near the site frontage, State Route 180. This allows offices, retail, and services to be exposed to passersby and residential dwellings to be shielded from traffic along the highway.
- Vertical mixed use: Office/commercial buildings and residential units are separated by internal driveways, parking lots, and landscaping within the site. There are no existing mixed-use developments within the city. As such, different uses being located within different buildings would better match the character of Kerman.
- Height: The proposed height of the structures is one (1) story. This is consistent with most structures in the city. Existing offices along Madera Avenue and commercial/retail uses west of the site are one (1) story. Out of the ten (10) apartments in Kerman, seven (7) apartments are one (1) story, and three (3) apartments are two (2) stories. The existing apartment on Site 2 is also one (1) story. As such, it is anticipated that development in this area would be one (1) story. Additionally, one (1) story structures are less costly to design and construct, and developers would be able to utilize the pre-approved duplexes from Kerman's Multi-Family Conceptual Design Program, which further lowers design costs.

5.3 Public Safety and Traffic

The final conceptual master plan was routed to California Department of Transportation (Caltrans), North Central Fire Protection District, Kerman Planning Department, Kerman Engineering Department, and Kerman Police Department. This ensures that public safety (fire, police, and engineering) and traffic (Caltrans) issues are identified and resolved, if any. Comment letters provided by these agencies are attached in **Appendix B**. A summary of the comments from each agency is included below.

5.3.1 Caltrans

See **Section 3.3.1**.

5.3.2 North Central Fire Protection District (NCFPD)

The comments, or conditions, offered by the NCFPD are in accordance with the 2022 California Building and Fire Codes. The comments are for Site 1, Site 2, and Site 3. Conditions are general as regulated per the 2022 California fire Code, including:

- Fire apparatus access lanes to within 150 feet of exterior walls of project building shall have an unobstructed width of 20 feet and be capable of supporting the weight of a fire apparatus in all weather. Fire access lanes shall be posted "NO PARKING-FIRE LANE". All weather fire access roads shall be established prior to start of combustible construction.
- Provide public and/or on-site fire hydrants so that no exterior wall of a project building is more than 400 feet from a hydrant. Hydrants shall be operational prior to the start of combustible construction.

5.3.3 Kerman Planning Department

The Planning Department leads the effort of developing the Program. The location, land use, and type of development on the site is designed under the consideration of local knowledge provided by the Planning Department.

5.3.4 Kerman Engineering Department

Preliminary conditions proposed by Engineering Department includes connections of utilities from Vineland Avenue and Whitesbridge Road, which are shown on the site plan. Improvements along adjacent roads are also required. All preliminary conditions are listed below.

1. Obtain water service from existing water main in Whitesbridge Road.
2. Direct sewer flows to existing facility in Vineland Avenue.
3. Direct storm drain flows to existing facility in Whitesbridge Road.
4. Underground existing overhead utilities along development frontage.
5. Construct Whitesbridge Road surface improvements per Caltrans standards.
6. Will require convenants, conditions and restrictions.

5.3.5 Kerman Police Department

The Police Department is concerned about potential traffic hazards for entrance/exit to the site off of Whitesbridge Avenue. Traffic issues have been present for similar sites when people traveling westbound make a southbound turn into the site. The Police Department proposes adding a southbound turning lane on Whitesbridge Avenue to resolve this issue.

6 APPENDIX A: CALTRANS LETTER

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616
(559) 908-7064 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov

February 15, 2024

FRE-180-43.064
Request for Information - External
SR 180 and access in City of Kerman
https://ld-igr-gts.dot.ca.gov/district/6/project/31906

SENT VIA EMAIL

Shin Tu
Precision Civil Engineering, Inc.
1234 O Street
Fresno, CA 93721

Dear Mx. Shin Tu:

Thank you for the opportunity to review the site base maps for parcels with planned conceptual site plans. The project is located on the southwest corner of State Route (SR) 180 and Vineland Avenue in the City of Kerman.

This is a request for information regarding right-of-way and any required dedications for the parcels directly south of SR 180 and if there were any requirements/standards on providing access to SR 180.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. As a point of information, the Fresno Council of Governments' (FCOG) 2022 Regional Transportation Plan has a Financially Constrained Project (FCOG Project ID: FRE500888) to improve Whitesbridge Avenue (SR 180) to a 4-lane divided roadway which is listed as a City of Kerman project. According to Caltrans' Transportation Concept Report (TCR) for SR 180, the ultimate concept for this segment is a 4-lane expressway with an ultimate right-of-way width of 170 feet (85 feet from the centerline).

2. Based on our records, it seems that the site base maps you have provided seem to reflect the most current right-of-way maps.

3. Regarding access to SR 180 from the parcels, it is anticipated that driveways will not be permitted within the existing right-turn lane on SR 180 given there is an existing driveway just west of the property line.

4. Please note that depending on the intensity of the development for the parcels, a median island may be required as part of the development.

5. Additional right-of-way may be requested to accommodate a 10-feet sidewalk depending on the width of the existing sidewalk north of the parcels along SR 180.

6. We appreciate the early involvement and encourage project proponents to provide conceptual designs and site plans early to allow for proper feedback. Please also note that any anticipated work along SR 180 within the State right-of-way will require an encroachment permit.

If you have any other questions, please call or email Christopher Xiong at (559) 908-7064 or Christopher.Xiong@dot.ca.gov.

Sincerely,



DAVID PADILLA, Branch Chief
Transportation Planning – North

7 APPENDIX B: AGENCY PRE-REVIEWED COMMENTS

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE |P.O. BOX 12616 |FRESNO, CA 93778-2616
(559) 981-7373 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov

June 4, 2024

06FRE-180-43.087
KERMAN MIXED USE DEVELOPMENT
SITE PLAN REVIEW
GTS: https://ld-igr-gts.dot.ca.gov/district/6/report/32519

Sent via email

Manuel Campos- Assistant Planner/Project Manager
Community Development Department
City of Kerman
850 S. Madera Avenue
Kerman, CA 93630

Dear Mr. Manuel Campos:

Thank you for the opportunity to review the Site Plans #2024-01, 02, and 03 for a mixed-use development. Site Plan 2024-01 consists of 10 duplexes and 26,060 square feet of office/commercial space. Site Plan 2024-02 consists of 12 duplexes and 13,750 square feet of office/commercial space. Site Plan 2024-03 consists of 5 duplexes and 16,500 square feet of office/commercial space. The proposed development is located on the southwest corner of State Route 180 (Whitesbridge Avenue) and Vineyard Avenue in the City of Kerman in Fresno County.

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development Review (LDR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

As a point of information, the segment of State Route 180 adjacent to the project site is a 4-lane conventional highway with an eastbound left turn lane and a right turn lane.

1. Limiting adjacent access connections is essential for the safe and efficient operation of a major roadway. For the given speed limit of 50 mph, the ideal spacing between adjacent access connections (driveways, intersections, etc.) is recommended to be a minimum of 1,325 feet (refer to TRB Access Management Manual 2nd Edition, Exhibit 15-13).

2. Ideally, there should not be multiple driveways along a short segment of State Route 180. Thus, only one shared driveway is recommended between Site Plan 2024-02 and Site Plan 2024-03 along the frontage of these three site plans. A 16 foot-wide right-turn lane with a 6-foot-wide bike lane should be provided to this driveway.

3. Caltrans requires that all three site plans be combined into a single master site plan to help with the assessment of the proposed driveways. On Site Plan 2024-01 access to the site is proposed via two driveways on Vineland Avenue and one point of ingress/egress to the property on the west. On Site Plan 2024-02 access to the site is proposed via two driveways to State Route 180 (one shared with Site Plan 2024-03), one point of ingress/egress to the property on the east, and one point of ingress/egress to the west. On Site Plan 2024-03 access to the site is proposed via two driveways on to State Route 180 (one shared with Site Plan 2024-03) and one point of ingress/egress to the property on the east.

4. Significant upgrades to the highway would be necessary, specifically the construction of a raised median across the frontage of all three site plans. Additional frontage improvements, such as wider sidewalk may be required along State Route 180. Offsite improvements for the proposed development should run consistently with the newer development to the east. An additional Right of Way amount of 45 feet from the centerline may be required.

If you have any further questions, please contact Nicholas Isla at (559) 981-7373 or email nicholas.isla@dot.ca.gov.

Sincerely,



DAVID PADILLA, Branch Chief
Transportation Planning – North

NORTH CENTRAL FIRE PROTECTION DIST
Board of Directors: Ken Abrahamian • Cheryl Belluomini
Michael Foglio • Rusty Nonini • Amanda Souza
Fire Chief: Timothy V. Henry, CFO, EFO

Fire Headquarters
15850 W. Kearney Boulevard
Kerman, California 93630-9335
(559) 275-5531 • FAX (559) 846-3788
www.northcentralfire.org

April 16, 2024

Manuel Campos, Assistant Planner
Community Development Department
850 S. Madera Ave
Kerman, CA 93630

Transmitted by Email to: mcampos@cityofkerman.org

RE:SPR 2024-01, SPR 2024-02, SPR 2024-03
Applicant Name **City of Kerman, Jesus Orozco**
Project Address 14527, 14559 Whitesbridge, 23, 37 South Vineland
Project City & Zip **Kerman, 93630**
Project APN: **023-030-075, 085, 455, 465**

North Central Fire Protection District (NCFPD) has received Site Plans for the above referenced project along with the associated documentation. The Fire District does not have land use authority and cannot approve or deny these types of applications. The following comments are offered at this time as advisements to the project for future permitting requirements. The comments / conditions are in accordance with the 2022 edition of the California Building and Fire Codes. This review is ONLY for SPR 2024-01,02,and03 applications. Review was NOT completed for structural elements of the site.

Before plans are submitted to the North Central Fire Protection District please visit our website at www.NorthCentralFire.org and fill out the Fire District Permit Application (**DFP-001f**) to submit with your plans.

The conditions of approval are as follows:

1. Fire access shall be provided as per Chapter 5 and Appendix D of the 2022 California Fire Code. Fire apparatus access lanes to within 150 feet of exterior walls of project building shall have an unobstructed width of 20 feet and be capable of supporting the weight of a fire apparatus in all weather. Fire access lanes shall be posted “NO PARKING-FIRE LANE”. All weather fire access roads shall be established prior to start of combustible construction.

2. Fire department water supply shall be per Chapter 5 and Appendix B of the 2022 California Fire Code. Hydrant spacing, location and main sizes have not been evaluated at this time as water mains and hydrants are not included in plans. Provide public and/or on-site fire hydrants so that no exterior wall of a project building is more than 400 feet from a hydrant. Hydrants shall be operational prior to start of combustible construction.
3. The unmodified Needed Fire Flow (NFF) for this project, based on the largest building, is 2750 gpm at 20 psi residual pressure.

Please contact the NCFPD at **Fire.Prevention@NorthCentralFire.org** to schedule a site inspection for verification of the above conditions.

Sincerely,

Rodger Maggio

Rodger Maggio
Contract Fire Plans Examiner

Manuel Campos

From: Wilkins, Steve (Kerman PD) <Steve.Wilkins@fcle.org>
Sent: Monday, April 22, 2024 12:17 PM
To: Manuel Campos
Cc: Jesus Orozco
Subject: RE: Request for comments - SPR 2024-01, 02, and 03

Good afternoon Manuel. See below for our only comment. Thanks.

The only issue/concern I see so far is if they do plan to put the entrance/exit to the site off of Whitesbridge Avenue. The traffic issues when people are traveling westbound and try to make the southbound turn into the site would create more of a traffic hazard. We already have issues with people trying to do the same turning movement when they enter the shopping center Slumberger Lumber is located at. Unless they add/create a southbound turning lane for the entrance, if they do in fact choose to put it there. I know there are two designs, one showing an entrance on Whitesbridge Avenue and the second having the entrance on Vineland Avenue.

Steve Wilkins
Chief of Police
Kerman Police Department
Phone 559-846-6655
Email steve.wilkins@fcle.org
850 S. Madera Ave., Kerman CA 93630

From: Manuel Campos <mcampos@cityofkerman.org>
Sent: Thursday, April 4, 2024 11:05 AM
To: Jesus Gonzalez <jesusgonzalez@yhmail.com>; Fire Prevention <fire.prevention@northcentralfire.org>; Wilkins, Steve (Kerman PD) <Steve.Wilkins@fcle.org>; Barcoma, Wil (Kerman PD) <Wil.Barcoma@fcle.org>; Isla, Nicholas@DOT <Nicholas.Isla@dot.ca.gov>; Padilla, Dave@DOT <dave.padilla@dot.ca.gov>
Cc: Jesus Orozco <jorozco@cityofkerman.org>; Shin Tu <stu@precisioneng.net>
Subject: Request for comments - SPR 2024-01, 02, and 03

** EXTERNAL EMAIL ** Use caution opening attachments or clicking on links from unknown senders. **

Good morning all,

Attached, is a request for comments on the City's Mixed Use Development Conceptual Design Program that is proposed for the properties on the SW corner of W. Whitesbridge Rd. and S. Vineland Ave.

Attached:

Distribution Letter
Operational Statement x3
Site plan x3

Aerial View

Please provide comments by **April 26, 2024**.

Feel free to contact me with any questions.

Thank you,

Manuel Campos | Assistant Planner
City of Kerman | Community Development Department
p. (559) 846.9384 ext. 316 | f. (559) 846.6199
850 S. Madera Ave. Kerman, CA 93630
mcampos@cityofkerman.org
www.cityofkerman.net

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STAFF REPORT

MEETING DATE: February 26, 2025

PRESENTER: John Jansons, City Manager

SUBJECT: Consideration of Monthly Stipend for Members of the City Recreation Commission (JAJ)

RECOMMENDATION: Council by motion consider whether to adopt a resolution establishing a stipend per meeting for members of the Parks, Recreation, and Community Services Commission and to determine the amount of such stipend.

DISCUSSION:

This agenda item is presented from a request of Mayor Pro Tem Yep at the January 8, 2025 Council Meeting. Chapter 2.26 of the Kerman Municipal Code (KMC) governs the operation of City Boards and Commissions; and Chapter 2.32 governs the Parks, Recreation, and Community Services Commission ("Recreation Commission").

KMC Section 2.26.070 provides: "Members of city boards and commissions shall serve without compensation for their service unless otherwise provided by resolution of the city council." Unlike Resolution Number 15-60 which established a per meeting stipend for Planning Commissioners in the amount of $75 per meeting with a maximum of two meetings per month as needed, the City does not have a resolution addressing compensation for members of the Recreation Commission.

A brief survey of California cities reveals that payments to Commissioners varies greatly, with many paying nothing as Commission members are resident volunteers, to upwards of $350 per meeting for Planning Commissioners, with other advisory committees receiving $25 or $50 per meeting. It is noted that the Recreation Commission is an advisory body whereas the Planning Commission does have action authority under the KMC and state law.

The amount determined by Council would be paid per meeting for what is historically one meeting per month. Adoption of the attached resolution would authorize the proposed change effective March 2025.

FISCAL IMPACT:

The annual Recreation Commission cost would increase by the amount as established by Council as per the table below assuming a full Commission of five members meeting once monthly.

5 Commissioners	Stipend per Meeting	12 meetings	Annual Cost
	$25.00 per meeting		$1,500
	$50.00 per meeting		$3,000
	$75.00 Per meeting		$4,500

ATTACHMENTS:

A. Resolution

Attachment 'A'

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN ESTABLISHING A MONTHLY PAYMENT TO MEMBERS OF THE PARKS, RECREATION, AND COMMUNITY SERVICES COMMISSION IN THE AMOUNT OF $____ PER MEETING

WHEREAS, Chapter 2.26 of the Kerman Municipal Code (KMC) governs the operation of City Boards and Commissions; and

WHEREAS, Chapter 2.32 governs the Parks, Recreation, and Community Services Commission ("Recreation Commission");

WHEREAS, Section 2.26.070 provides: "Members of city boards and commissions shall serve without compensation for their service unless otherwise provided by resolution of the city council"; and

WHEREAS, City Council has determined that it is in best interest of the City to pay a per meeting stipend to members of the Recreation Commission; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kerman:

1. The foregoing recitals are true and correct and incorporated by reference.

2. The City Council approves a $_____ stipend for each meeting up to two meetings per month to members of the City Parks, Recreation, and Community Services Commission.

3. The City Council directs the Director of Finance to amend the Fiscal Year 2024-2025 Budget to include Commission payments beginning March 2025 and to include such expenditures in future budget years unless this resolution is rescinded or amended.

4. This resolution is effective upon adoption.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regular meeting held on the 26th day of February 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

_____
Maria Pacheco
Mayor

ATTEST:

_____
Josie Camacho
City Clerk